

By Mr. ROBINSON of Indiana: Petition of the Packard Company, of Fort Wayne, Ind., favoring increased powers for the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Petition of the Denver Chamber of Commerce, against reduction of duties on sugar—to the Committee on Ways and Means.

By Mr. SPIGHT: Paper to accompany bill for relief of the estate of William M. Kimmons, of Lafayette County, Miss.—to the Committee on War Claims.

Also, paper to accompany bill for relief of Andre B. Conley, of Marshall County, Miss.—to the Committee on War Claims.

Also, paper to accompany bill for relief of Mrs. E. J. Matlack, of Benton County, Miss.—to the Committee on War Claims.

Also, paper to accompany bill for relief of Willis J. Moran, of Benton County, Miss.—to the Committee on War Claims.

Also, paper to accompany bill for relief of W. A. Eaton, of Tate County, Miss.—to the Committee on War Claims.

By Mr. SULLOWAY: Petition of citizens of Wilton, N. H., against legislation relative to Sabbath observance in the District of Columbia—to the Committee on the District of Columbia.

SENATE.

MONDAY, January 30, 1905.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. OVERMAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

FUR-SEAL HERD OF ALASKA.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to a resolution of the 23d instant, copies of letters of instruction issued by the Department on May 1, 1904, for the guidance of the agent in charge of the seal islands of Alaska, and also a copy of a preliminary report that was addressed to the Department on August 12, 1904, for the agent in charge relative to the conduct of affairs of the islands during the year 1904.

The Chair calls the attention of the senior Senator from Colorado [Mr. TELLER] to the communication. The Chair thinks it is in response to a resolution offered by that Senator.

Mr. TELLER. I think the communication had better be printed and lie on the table. I do not really know to what committee it should be referred.

The PRESIDENT pro tempore. The communication and accompanying papers will be printed and lie on the table.

EXPENSES IN DISBARMENT PROCEEDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of the General Land Office, and also a letter from the Acting Comptroller of the Treasury, relative to expenses of hearings in disbarment proceedings against attorneys ordered by the General Land Office, and recommending that that part of the sundry civil appropriation bill which makes provision "for expenses of hearings in land entries" be enlarged to cover expenses in disbarment proceedings; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF CAPITAL TRACTION COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Capital Traction Company of the District of Columbia for the year 1904; which was referred to the Committee on the District of Columbia, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Isabella and Ann*, William Duer, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3950) for the relief of W. R. Akers, of Alliance, Nebr.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7607) granting a pension to John W. Nye.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 16311) granting an increase of pension to Morris Del Dowane.

The message also announced that the House insists upon its amendment to the bill (S. 4169) granting a pension to Galena Jonett, disagreed to by the Senate, agreeing to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

The message further announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

S. 5732. An act granting a pension to Philip Lawotte;

S. 5947. An act granting an increase of pension to Florence O. Whitman;

S. 6152. An act granting an increase of pension to Ann E. Wilson; and

S. 6351. An act granting an increase of pension to Martin T. Cross.

The message also announced that the House had passed the following bills:

S. 69. An act granting an increase of pension to Frances C. Brown;

S. 104. An act granting an increase of pension to Abner Taylor;

S. 141. An act granting an increase of pension to James W. Kinkead;

S. 184. An act granting an increase of pension to John Bartlett;

S. 355. An act granting a pension to Sarah Jane Simonds;

S. 825. An act granting an increase of pension to Jesse Collins;

S. 826. An act granting an increase of pension to John C. Bertollette;

S. 830. An act granting an increase of pension to Thomas H. Muchmore;

S. 1420. An act granting an increase of pension to Gustavus S. Young;

S. 1794. An act granting an increase of pension to Joseph C. Walkinshaw;

S. 2074. An act granting an increase of pension to James A. Harper;

S. 2189. An act granting an increase of pension to Joseph K. Armstrong;

S. 2419. An act granting an increase of pension to Jane M. Black;

S. 2572. An act granting an increase of pension to Thomas J. Lucas;

S. 2707. An act granting an increase of pension to James M. Clemens;

S. 2828. An act granting an increase of pension to Phoebe E. Lyda;

S. 2913. An act granting an increase of pension to Elizabeth F. Givin;

S. 3074. An act granting an increase of pension to Isaac Davison;

S. 3435. An act granting a pension to Mazilla Lester;

S. 3517. An act granting an increase of pension to John B. Hammer;

S. 3635. An act granting an increase of pension to John M. Godown;

S. 3939. An act granting an increase of pension to James Miller;

S. 4075. An act granting an increase of pension to Charles M. Shepherd;

S. 4121. An act granting an increase of pension to James D. Beasley;

S. 4135. An act granting an increase of pension to Jane Francis;

S. 4159. An act granting an increase of pension to George W. Gray;

S. 4239. An act granting an increase of pension to William H. McCann;

S. 4392. An act granting an increase of pension to Samuel Hyatt;

S. 4660. An act granting an increase of pension to Nellie B. Newton;

S. 4691. An act granting an increase of pension to Leonard L. Lancaster;

S. 4722. An act granting an increase of pension to Martin V. Trough;

S. 4760. An act granting an increase of pension to Ezekiel Riggs;

S. 4823. An act granting an increase of pension to Mary Martin;

- S. 4888. An act granting an increase of pension to Pierpont H. B. Moulton;
 S. 4897. An act granting an increase of pension to Reuben Allred;
 S. 5426. An act granting a pension to Henry O. Kent;
 S. 5432. An act granting an increase of pension to Elias Stillwell;
 S. 5451. An act granting an increase of pension to George W. Benedict;
 S. 5455. An act granting an increase of pension to Jeanie G. Lyles;
 S. 5509. An act granting an increase of pension to Susie C. G. Seabury;
 S. 5523. An act granting an increase of pension to James Minnick;
 S. 5527. An act granting an increase of pension to John A. Kingman;
 S. 5540. An act granting an increase of pension to Jerome Bradley;
 S. 5550. An act granting an increase of pension to Martin Mack;
 S. 5568. An act granting an increase of pension to Flora B. Bonham;
 S. 5670. An act granting an increase of pension to James W. Stickley;
 S. 5678. An act granting a pension to Margaret McKee Pentland, formerly Margaret McKee;
 S. 5698. An act granting an increase of pension to Martin Schubert;
 S. 5712. An act granting an increase of pension to Sally Dickinson;
 S. 5727. An act granting an increase of pension to Jesse Woodruff;
 S. 5757. An act granting an increase of pension to William A. Luther;
 S. 5766. An act granting an increase of pension to Andrew S. Graham;
 S. 5802. An act granting an increase of pension to Luther M. Bartlow;
 S. 5808. An act granting an increase of pension to William Steele;
 S. 5809. An act granting an increase of pension to Cyrus Wetherell;
 S. 5812. An act granting an increase of pension to William T. Graham;
 S. 5815. An act granting an increase of pension to James McKim;
 S. 5841. An act granting an increase of pension to Nelson P. Smith;
 S. 5842. An act granting an increase of pension to Thomas G. Parish;
 S. 5856. An act granting an increase of pension to William V. Morrison;
 S. 5868. An act granting an increase of pension to Mary C. Buck;
 S. 5892. An act granting an increase of pension to James McAuliffe;
 S. 5938. An act granting an increase of pension to Owen A. Willey;
 S. 5939. An act granting an increase of pension to George W. Hall;
 S. 5940. An act granting an increase of pension to Jason R. C. Hoyt;
 S. 5941. An act granting an increase of pension to Alma Yohum;
 S. 5943. An act granting an increase of pension to Jared Prindle;
 S. 5953. An act granting an increase of pension to Charles P. Thurston;
 S. 5958. An act granting an increase of pension to Mary J. Bartlett;
 S. 5961. An act granting an increase of pension to Warren P. Tenney;
 S. 5971. An act granting a pension to Cordelia Bird;
 S. 5975. An act granting an increase of pension to Lucy Lytton;
 S. 6004. An act granting an increase of pension to James Hulme;
 S. 6074. An act granting an increase of pension to William Smith;
 S. 6085. An act granting an increase of pension to Leonard Delamater;
 S. 6091. An act granting an increase of pension to William Welch;
 S. 6092. An act granting an increase of pension to Elijah W. Gordon;
 S. 6094. An act granting an increase of pension to Ephraim W. Harrington;
 S. 6116. An act granting an increase of pension to Francis M. Sams;
 S. 6130. An act granting an increase of pension to Charles L. Harmon;
 S. 6191. An act granting an increase of pension to Charles R. Van Norman;
 S. 6192. An act granting an increase of pension to James McGinnis;
 S. 6193. An act granting a pension to Jacob O. White;
 S. 6194. An act granting an increase of pension to William S. Moorhouse;
 S. 6195. An act granting an increase of pension to Frederick Feigley;
 S. 6196. An act granting an increase of pension to William C. Dickinson;
 S. 6268. An act granting an increase of pension to Adria M. S. Moale;
 S. 6321. An act granting a pension to Hattie F. Davis; and
 S. 6584. An act to incorporate the trustees of the Grand Encampment of Knights Templar of the United States of America. The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:
 H. R. 1263. An act granting an increase of pension to David Phillips;
 H. R. 1551. An act to increase the pension of Edward S. Clithero;
 H. R. 1887. An act granting an increase of pension to William J. Stewart;
 H. R. 1892. An act granting an increase of pension to John Gibson;
 H. R. 1900. An act granting an increase of pension to Samuel Visnow;
 H. R. 2017. An act granting an increase of pension to Johan Mohr;
 H. R. 2114. An act granting an increase of pension to William McCloud;
 H. R. 2741. An act granting an increase of pension to William H. Smith;
 H. R. 2927. An act granting an increase of pension to James C. Hall;
 H. R. 3064. An act granting a pension to Kate Good;
 H. R. 3080. An act granting an increase of pension to David P. Foster;
 H. R. 3239. An act granting an increase of pension to Daniel Ford;
 H. R. 3273. An act granting an increase of pension to William E. Hill;
 H. R. 3406. An act granting an increase of pension to Thomas J. Peaks;
 H. R. 3437. An act granting an increase of pension to William B. Shepard;
 H. R. 3908. An act granting an increase of pension to Jacob Trautman;
 H. R. 4385. An act granting an increase of pension to Thomas Thompson;
 H. R. 4390. An act granting an increase of pension to Francis W. Seeley;
 H. R. 4461. An act granting an increase of pension to Frederick Baker;
 H. R. 4636. An act granting an increase of pension to Martin J. Severance;
 H. R. 4680. An act granting a pension to Jonas Ball;
 H. R. 5015. An act granting a pension to William A. Russell;
 H. R. 5044. An act granting an increase of pension to Joseph L. Croskrey;
 H. R. 5113. An act granting an increase of pension to Almon W. Gould;
 H. R. 5205. An act granting an increase of pension to Francis Wilson;
 H. R. 5265. An act granting an increase of pension to Sara A. Haskell;
 H. R. 5284. An act granting an increase of pension to John Maupin;
 H. R. 5331. An act granting a pension to Jesse Bacus;
 H. R. 5390. An act granting an increase of pension to Katharina A. Mueller;
 H. R. 5637. An act granting an increase of pension to Lou Gates;
 H. R. 5641. An act granting an increase of pension to Morris B. Slawson;
 H. R. 5691. An act granting an increase of pension to Henry Rinehart;
 H. R. 5876. An act granting an increase of pension to Elijah S. Carleton;

- H. R. 5887. An act granting an increase of pension to William H. Swinney;
H. R. 6324. An act granting an increase of pension to John H. McKee;
H. R. 6607. An act granting an increase of pension to John Blair;
H. R. 6663. An act granting a pension to Mahala Alexander;
H. R. 6714. An act granting an increase of pension to George E. Pierson;
H. R. 7058. An act granting a pension to Louisa E. Satterfield;
H. R. 7478. An act granting a pension to Eli Tippet;
H. R. 7609. An act granting an increase of pension to Mary A. Ryon;
H. R. 7761. An act granting an increase of pension to Quintus Hummel;
H. R. 8392. An act granting an increase of pension to Eli B. Helm;
H. R. 8983. An act granting an increase of pension to Jonathan R. Cox;
H. R. 9271. An act granting an increase of pension to William Dyas;
H. R. 9335. An act granting an increase of pension to Joseph N. Croak;
H. R. 9430. An act granting an increase of pension to Stephen Houghtaling;
H. R. 9517. An act granting an increase of pension to Joseph Starr;
H. R. 9580. An act granting an increase of pension to John Knight;
H. R. 10081. An act granting an increase of pension to William A. Russell;
H. R. 10206. An act granting an increase of pension to Benjamin F. Minnick;
H. R. 10353. An act granting an increase of pension to Henry S. Riggs;
H. R. 10392. An act granting an increase of pension to Silas B. Irion;
H. R. 10628. An act granting an increase of pension to Margaret B. Rapp;
H. R. 10691. An act granting an increase of pension to James W. Hilyard;
H. R. 10950. An act granting an increase of pension to William Clark;
H. R. 11020. An act granting an increase of pension to Henry W. Hurlbut;
H. R. 11114. An act granting an increase of pension to William D. Leek;
H. R. 11303. An act granting an increase of pension to Robert Balsking;
H. R. 11399. An act granting an increase of pension to James Sleeth;
H. R. 11465. An act granting an increase of pension to Frances E. Rex;
H. R. 11501. An act granting an increase of pension to Sarah S. Mulcahey;
H. R. 11599. An act granting an increase of pension to Albert S. Granger;
H. R. 11743. An act granting an increase of pension to Charles H. Baird;
H. R. 11746. An act granting an increase of pension to Isaiah Waltman;
H. R. 11855. An act granting an increase of pension to John Cross;
H. R. 11859. An act granting an increase of pension to Deborah H. Bliss;
H. R. 12079. An act granting an increase of pension to Mary L. G. Mew;
H. R. 12157. An act granting an increase of pension to Asher D. Bice;
H. R. 12158. An act granting an increase of pension to Lyman L. Smith;
H. R. 12341. An act granting a pension to John Stilts;
H. R. 12349. An act granting an increase of pension to Thomas D. Horner;
H. R. 12479. An act granting an increase of pension to Lucretia T. Cartmell;
H. R. 12558. An act granting an increase of pension to George Van Horn;
H. R. 13188. An act granting an increase of pension to Charles H. Dunihue;
H. R. 13305. An act granting an increase of pension to Amos L. Griffith;
H. R. 13654. An act granting an increase of pension to Thomas H. Soward;
H. R. 13656. An act granting an increase of pension to Mary W. Martin;
H. R. 13661. An act granting a pension to Edith F. Morrison;
H. R. 14071. An act granting a pension to Cole B. Fugate;
H. R. 14108. An act granting an increase of pension to Timothy L. Taylor;
H. R. 14125. An act granting an increase of pension to Joel Hudson;
H. R. 14232. An act granting a pension to Pauline W. Stuckey;
H. R. 14255. An act granting an increase of pension to Margaret H. Bates;
H. R. 14305. An act granting a pension to Walter Gardner;
H. R. 14395. An act granting an increase of pension to Frank Loveley;
H. R. 14481. An act granting an increase of pension to Albert H. Estes;
H. R. 14569. An act granting a pension to Maggie Weygandt;
H. R. 14575. An act granting an increase of pension to Laura P. Swentzel;
H. R. 14613. An act granting an increase of pension to Samuel E. Rumsey;
H. R. 14665. An act granting an increase of pension to Harriet H. Heaton;
H. R. 14785. An act granting an increase of pension to Warren C. Gilbreath;
H. R. 14906. An act for the relief of H. B. Wise;
H. R. 14909. An act granting an increase of pension to Albert E. Barnes;
H. R. 14925. An act granting an increase of pension to Robert T. Porter;
H. R. 14935. An act granting an increase of pension to William G. Taylor;
H. R. 15000. An act granting an increase of pension to Isabel Nichols;
H. R. 15008. An act granting an increase of pension to Engelhardt Roemer;
H. R. 15043. An act granting an increase of pension to James R. Ferson;
H. R. 15044. An act granting an increase of pension to Nahr-vista G. Heard;
H. R. 15082. An act granting a pension to James C. Albritton;
H. R. 15084. An act granting an increase of pension to Joseph W. Miller;
H. R. 15210. An act granting an increase of pension to Isaac N. Hawkins;
H. R. 15233. An act granting a pension to Martha M. Hawkins;
H. R. 15252. An act granting an increase of pension to Maria Edmundson;
H. R. 15284. An act granting to the Keokuk and Hamilton Water Power Company rights to construct and maintain for the improvement of navigation and development of water power a dam across the Mississippi River;
H. R. 15293. An act granting an increase of pension to John P. Davis;
H. R. 15305. An act granting a pension to Isaac F. Clayton;
H. R. 15337. An act granting an increase of pension to Levi L. Martz;
H. R. 15390. An act granting an increase of pension to Augustus C. Foster;
H. R. 15529. An act granting an increase of pension to James M. Elkinton;
H. R. 15616. An act granting a pension to Christopher C. Krepps;
H. R. 15629. An act granting a pension to Walter Elkan, alias Walter Eckhardt;
H. R. 15640. An act granting a pension to William E. Quirk;
H. R. 15642. An act granting an increase of pension to John H. Coonrod;
H. R. 15648. An act granting an increase of pension to Joseph Sawyer;
H. R. 15655. An act granting a pension to Mattie M. Bond;
H. R. 15661. An act granting an increase of pension to Malden Valentine;
H. R. 15679. An act granting an increase of pension to James G. Butler;
H. R. 15718. An act granting an increase of pension to James Parmele;
H. R. 15720. An act granting an increase of pension to William T. Finch;
H. R. 15723. An act granting an increase of pension to Frederick Leloh;
H. R. 15751. An act granting an increase of pension to Aglae Bache;
H. R. 15766. An act granting a pension to Henry J. Richardson;
H. R. 15787. An act granting an increase of pension to Thordike P. Heath;

- H. R. 15788. An act granting an increase of pension to Silas W. Bullock;
 H. R. 15822. An act granting an increase of pension to Oliver P. Beckmon;
 H. R. 15823. An act granting an increase of pension to James M. Liddil;
 H. R. 15838. An act granting an increase of pension to Mary F. Fuller;
 H. R. 15874. An act granting an increase of pension to John Kingdon;
 H. R. 15891. An act granting a pension to Harriett Stanley;
 H. R. 15913. An act granting an increase of pension to Hiram R. Freelove;
 H. R. 15919. An act granting an increase of pension to Joseph Flke;
 H. R. 15925. An act granting an increase of pension to Nellie Barrett;
 H. R. 15931. An act granting an increase of pension to Ephraim L. Mack;
 H. R. 15950. An act granting an increase of pension to Edward J. Lewis;
 H. R. 15960. An act granting an increase of pension to David H. Lee;
 H. R. 15968. An act granting an increase of pension to James L. Hodges;
 H. R. 16046. An act granting an increase of pension to Frederick Lahrmann;
 H. R. 16072. An act granting an increase of pension to Albert H. Barry;
 H. R. 16073. An act granting an increase of pension to James B. Miller;
 H. R. 16099. An act granting an increase of pension to Lafayette Boutwell;
 H. R. 16105. An act granting an increase of pension to Cyrus B. Allen;
 H. R. 16177. An act granting an increase of pension to Elisha C. Davidson;
 H. R. 16215. An act granting an increase of pension to Fitz Allen Gourley;
 H. R. 16216. An act granting an increase of pension to Philo G. Tuttle;
 H. R. 16232. An act granting an increase of pension to Charles V. Jenkins;
 H. R. 16239. An act granting an increase of pension to Mary K. Roane;
 H. R. 16254. An act granting an increase of pension to Lydia R. Howard;
 H. R. 16308. An act granting an increase of pension to Webster Eaton;
 H. R. 16310. An act granting an increase of pension to Hugh McKenzie, alias James A. Trainer;
 H. R. 16312. An act granting an increase of pension to Alpheus Townsend;
 H. R. 16324. An act granting an increase of pension to Richard Rollings;
 H. R. 16325. An act granting an increase of pension to Jonas Myers;
 H. R. 16335. An act granting an increase of pension to Frank C. Culley;
 H. R. 16364. An act granting an increase of pension to Gustav Tafel;
 H. R. 16370. An act granting an increase of pension to Henry H. Wright;
 H. R. 16384. An act granting a pension to Thomas Poag;
 H. R. 16398. An act granting an increase of pension to Michael Keating;
 H. R. 16419. An act granting an increase of pension to F. A. William Weaver;
 H. R. 16427. An act granting an increase of pension to Alfred D. Launder;
 H. R. 16457. An act granting an increase of pension to Herbert S. Nelson;
 H. R. 16472. An act granting a pension to Frances A. McQuiston;
 H. R. 16473. An act granting an increase of pension to John R. Karns;
 H. R. 16474. An act granting an increase of pension to Oliver McFadden;
 H. R. 16488. An act granting an increase of pension to Daniel Reagan;
 H. R. 16501. An act granting an increase of pension to George Jagers;
 H. R. 16524. An act granting an increase of pension to Nancy B. Stratton;
 H. R. 16540. An act granting a pension to Annie B. Orr;
 H. R. 16551. An act granting an increase of pension to William Morris;
 H. R. 16573. An act granting an increase of pension to Jonathan Wiggins;
 H. R. 16574. An act granting an increase of pension to Leonard C. Davis;
 H. R. 16575. An act granting an increase of pension to John E. Hurley;
 H. R. 16581. An act granting an increase of pension to Eli Dabler;
 H. R. 16589. An act granting an increase of pension to Martha Peck;
 H. R. 16613. An act granting an increase of pension to Cornelia J. Schoonover;
 H. R. 16614. An act granting an increase of pension to Jacob Repsher;
 H. R. 16625. An act granting a pension to Laura A. Baughey;
 H. R. 16629. An act granting an increase of pension to Nathan C. D. Bond;
 H. R. 16654. An act granting an increase of pension to Isaac C. Buswell;
 H. R. 16663. An act granting an increase of pension to Henry Newcomer;
 H. R. 16684. An act granting an increase of pension to Lena Loeser;
 H. R. 16685. An act granting an increase of pension to Isaiah M. Adams;
 H. R. 16687. An act granting an increase of pension to M. Helen Orchard;
 H. R. 16701. An act granting an increase of pension to Emanuel F. Brown;
 H. R. 16702. An act granting an increase of pension to John A. Cairnes;
 H. R. 16707. An act granting an increase of pension to John Beckman;
 H. R. 16731. An act granting an increase of pension to Wallace W. Hicks;
 H. R. 16740. An act granting an increase of pension to Laura Coleman;
 H. R. 16745. An act granting an increase of pension to John W. Davis;
 H. R. 16746. An act granting an increase of pension to James J. Summers;
 H. R. 16749. An act granting a pension to George W. Cowan;
 H. R. 16774. An act granting an increase of pension to John J. James;
 H. R. 16815. An act granting an increase of pension to Michael L. Essick;
 H. R. 16828. An act granting an increase of pension to James Spaulding;
 H. R. 16834. An act granting an increase of pension to Thomas Harris;
 H. R. 16849. An act granting a pension to Edward H. Holden;
 H. R. 16859. An act granting an increase of pension to James Shaw;
 H. R. 16861. An act granting an increase of pension to Mary L. Walker;
 H. R. 16874. An act granting an increase of pension to Reuben Terry;
 H. R. 16876. An act granting an increase of pension to Samuel Nicholas;
 H. R. 16879. An act granting an increase of pension to William H. Brown;
 H. R. 16920. An act granting an increase of pension to Stillwell Truax;
 H. R. 16929. An act granting an increase of pension to John Moore;
 H. R. 16932. An act granting a pension to Louisa E. Cummings;
 H. R. 16946. An act granting an increase of pension to William Huddleson;
 H. R. 16961. An act granting an increase of pension to Lydia McCardell;
 H. R. 16968. An act granting an increase of pension to John H. Ladd;
 H. R. 17013. An act granting an increase of pension to George P. Finlay;
 H. R. 17017. An act granting an increase of pension to Joseph S. Thompson;
 H. R. 17035. An act granting an increase of pension to William H. Miles;
 H. R. 17046. An act granting an increase of pension to Hartvig Engebretson;
 H. R. 17060. An act granting an increase of pension to Daniel H. Hastings;

H. R. 17068. An act granting an increase of pension to James A. Coll;
 H. R. 17073. An act granting an increase of pension to Francis M. Shewmaker;
 H. R. 17084. An act granting an increase of pension to Alonzo P. Spooner;
 H. R. 17085. An act granting an increase of pension to William S. Stanley;
 H. R. 17092. An act granting an increase of pension to John Jeffers;
 H. R. 17117. An act granting an increase of pension to George H. Brusstar;
 H. R. 17119. An act granting an increase of pension to Lewis Hitt;
 H. R. 17126. An act granting an increase of pension to Caroline Jennings;
 H. R. 17131. An act granting an increase of pension to James W. Cross;
 H. R. 17147. An act granting an increase of pension to James A. Gossett;
 H. R. 17151. An act granting a pension to Avery Dalton;
 H. R. 17161. An act granting an increase of pension to Claiborne J. Walton;
 H. R. 17164. An act granting an increase of pension to Solomon Carpenter;
 H. R. 17197. An act granting an increase of pension to James Mitchell;
 H. R. 17201. An act granting an increase of pension to Henry Lorch;
 H. R. 17222. An act granting an increase of pension to William G. Mullen;
 H. R. 17232. An act granting an increase of pension to Martha McAfee;
 H. R. 17236. An act granting an increase of pension to Sarah B. Hirli;
 H. R. 17240. An act granting an increase of pension to Luther Kaltenbach;
 H. R. 17244. An act granting an increase of pension to John Winemiller;
 H. R. 17261. An act granting a pension to Mary A. Gibson;
 H. R. 17262. An act granting an increase of pension to Jennie N. Jones;
 H. R. 17272. An act granting an increase of pension to Chauncey L. Guilford;
 H. R. 17274. An act granting a pension to Louis A. Lavalley;
 H. R. 17275. An act granting an increase of pension to Carmen Frazee;
 H. R. 17290. An act granting an increase of pension to John W. Grove;
 H. R. 17297. An act granting an increase of pension to Joseph C. Prosser;
 H. R. 17300. An act granting an increase of pension to Charles H. Penoyer;
 H. R. 17311. An act granting an increase of pension to Adam W. Grassley;
 H. R. 17325. An act granting an increase of pension to Albert H. Noble;
 H. R. 17361. An act granting an increase of pension to Samuel H. Renfro;
 H. R. 17374. An act granting an increase of pension to Georgia A. Harlow;
 H. R. 17390. An act granting an increase of pension to Samuel Sunderland;
 H. R. 17403. An act granting an increase of pension to Horace Winslow;
 H. R. 17411. An act granting an increase of pension to Abel Grovenor;
 H. R. 17434. An act granting an increase of pension to Samuel H. Draper;
 H. R. 17437. An act granting an increase of pension to Albert H. Glassmire;
 H. R. 17443. An act granting an increase of pension to Oscar Hinkley;
 H. R. 17452. An act granting an increase of pension to Franklin Savage;
 H. R. 17464. An act granting an increase of pension to Nancy J. Nelson;
 H. R. 17523. An act granting an increase of pension to Mary A. Paul;
 H. R. 17537. An act granting an increase of pension to Theodore Titus;
 H. R. 17543. An act granting an increase of pension to Lafayette Brashear;

H. R. 17558. An act granting an increase of pension to Sarah A. Morrison;
 H. R. 17595. An act granting an increase of pension to Catherine A. Hogan;
 H. R. 17605. An act granting an increase of pension to Joseph B. Scott;
 H. R. 17635. An act granting a pension to John Burke;
 H. R. 17653. An act granting an increase of pension to Hezekiah H. Sherman;
 H. R. 17660. An act granting an increase of pension to James H. Wasson;
 H. R. 17672. An act granting an increase of pension to Oliver C. Cleveland;
 H. R. 17677. An act granting an increase of pension to James Hudson;
 H. R. 17731. An act granting an increase of pension to William Stewart;
 H. R. 17734. An act granting a pension to Sue M. Salsbury;
 H. R. 17755. An act granting an increase of pension to Davis D. Osterhoudt;
 H. R. 17770. An act granting an increase of pension to Matilda D. Clark;
 H. R. 17771. An act granting an increase of pension to Jerome B. Nulton;
 H. R. 17773. An act granting an increase of pension to William Hubs;
 H. R. 17784. An act authorizing the construction of a bridge across the Arkansas River at or near Vanburen, Ark.;
 H. R. 17789. An act to amend an act entitled "An act to authorize W. Denny & Co. to bridge Dog River, in the State of Mississippi;"
 H. R. 17849. An act granting an increase of pension to James Freeman;
 H. R. 17891. An act granting an increase of pension to Robert M. Alexander;
 H. R. 17900. An act granting an increase of pension to Edward M. Mobley;
 H. R. 17917. An act granting an increase of pension to Lewis Hammack;
 H. R. 17977. An act granting an increase of pension to William Barnhard;
 H. R. 18002. An act granting an increase of pension to Isaac Williams;
 H. R. 18003. An act granting an increase of pension to Alfred Rowan;
 H. R. 18031. An act granting an increase of pension to John Tipton;
 H. R. 18095. An act granting an increase of pension to Charlotte F. Russell;
 H. R. 18144. An act granting an increase of pension to William Stout;
 H. R. 18180. An act granting an increase of pension to Jacob Fulmer;
 H. R. 18181. An act granting an increase of pension to Nancy Ann Smith;
 H. R. 18268. An act granting an increase of pension to Annie Crawford; and
 H. R. 18329. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1906.

Subsequently the foregoing House pension bills were severally read twice by their titles, and referred to the Committee on Pensions.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

H. R. 130. An act granting an increase of pension to Washington I. Cook;
 H. R. 132. An act granting an increase of pension to James P. Griffith;
 H. R. 606. An act granting an increase of pension to Vincent M. Cartwright;
 H. R. 666. An act granting an increase of pension to Eva M. Kingsbury;
 H. R. 723. An act granting an increase of pension to Thomas Smart;
 H. R. 963. An act granting an increase of pension to Ava D. Benjamin;
 H. R. 968. An act granting an increase of pension to Charles W. Young;
 H. R. 1286. An act granting an increase of pension to John Brasch;
 H. R. 1324. An act granting an increase of pension to Thomas Skidmore;

H. R. 1445. An act granting an increase of pension to John Ellis;
 H. R. 1491. An act granting an increase of pension to Martin L. Pebleton;
 H. R. 1573. An act granting an increase of pension to Cyrus Hurd;
 H. R. 1901. An act granting an increase of pension to Warren F. Barnes;
 H. R. 2046. An act granting an increase of pension to Peter W. Kreeger;
 H. R. 2191. An act granting an increase of pension to William C. Pollard;
 H. R. 2469. An act granting an increase of pension to William Stone;
 H. R. 2476. An act granting an increase of pension to Sampson E. Grove;
 H. R. 2781. An act granting an increase of pension to Alta Mira Parsons;
 H. R. 2946. An act granting an increase of pension to Albert Webb;
 H. R. 2993. An act granting an increase of pension to Lewis Townsend;
 H. R. 3002. An act granting an increase of pension to Samuel Tillinghast;
 H. R. 3286. An act granting an increase of pension to Jacob F. French;
 H. R. 3373. An act granting an increase of pension to Jacob Cochran;
 H. R. 3799. An act granting a pension to Emma Cortright;
 H. R. 3831. An act granting an increase of pension to John W. Hartley;
 H. R. 4169. An act granting an increase of pension to Thomas J. Brooks;
 H. R. 4194. An act granting a pension to Elizabeth Nellan;
 H. R. 4242. An act granting an increase of pension to Annie M. Wallace;
 H. R. 4322. An act granting an increase of pension to Francis M. Hay;
 H. R. 4552. An act granting an increase of pension to Orin P. Stoffer;
 H. R. 4595. An act granting an increase of pension to Charles D. Fortney;
 H. R. 4627. An act granting a pension to Annie Young;
 H. R. 4676. An act granting an increase of pension to James B. Judson;
 H. R. 4873. An act granting an increase of pension to John McKenzie;
 H. R. 4900. An act granting an increase of pension to Sarah Hodgson;
 H. R. 4927. An act granting an increase of pension to Eugene P. Tewksbury;
 H. R. 4942. An act granting an increase of pension to Adam Hand;
 H. R. 5123. An act granting a pension to Maria Eldred, formerly Maria Olmsted;
 H. R. 5153. An act granting an increase of pension to Jonathan Stewart;
 H. R. 5243. An act granting an increase of pension to Hiram Qualk;
 H. R. 5286. An act granting an increase of pension to Obadiah J. Merrill;
 H. R. 5383. An act granting an increase of pension to Samuel Shafer;
 H. R. 5821. An act granting a pension to Mary A. Johns;
 H. R. 5822. An act granting an increase of pension to Eveline V. Ferguson;
 H. R. 5884. An act granting an increase of pension to Samuel K. White;
 H. R. 5951. An act granting an increase of pension to Joseph M. White;
 H. R. 5997. An act granting an increase of pension to James Hammonds;
 H. R. 6310. An act granting an increase of pension to Robert Clarke;
 H. R. 6354. An act granting an increase of pension to George M. Simmons;
 H. R. 7000. An act granting an increase of pension to John White;
 H. R. 7074. An act granting an increase of pension to Jesse Sims;
 H. R. 7987. An act granting an increase of pension to Francis Scott;
 H. R. 8049. An act granting an increase of pension to John S. Parker;
 H. R. 8460. An act providing for the transfer of forest re-

serves from the Department of the Interior to the Department of Agriculture;
 H. R. 8708. An act granting an increase of pension to David C. Posey;
 H. R. 8859. An act granting an increase of pension to Charles J. Esty;
 H. R. 8917. An act granting an increase of pension to Michael Marx;
 H. R. 9552. An act granting an increase of pension to Peter Williams;
 H. R. 9553. An act granting an increase of pension to Hattie L. Rich;
 H. R. 9621. An act granting an increase of pension to William Lance;
 H. R. 9696. An act granting an increase of pension to Henry S. Austin;
 H. R. 9774. An act granting an increase of pension to James M. Prince;
 H. R. 9824. An act granting a pension to William Hayes;
 H. R. 9860. An act granting an increase of pension to Augustus Colvin;
 H. R. 9906. An act granting an increase of pension to Thomas P. Dunn;
 H. R. 9939. An act granting an increase of pension to Martha Higgins;
 H. R. 10360. An act granting an increase of pension to Mary Flynn;
 H. R. 10680. An act granting an increase of pension to Samuel B. Coe;
 H. R. 10712. An act granting a pension to Henrietta Weidner;
 H. R. 11015. An act granting an increase of pension to Joseph Wardle;
 H. R. 11016. An act granting an increase of pension to Samuel P. Short;
 H. R. 11090. An act granting an increase of pension to Joseph Reese;
 H. R. 11492. An act granting an increase of pension to Samuel B. Bartley;
 H. R. 12254. An act granting an increase of pension to Matthew H. Bevan;
 H. R. 12818. An act granting a pension to Nichols M. Brockway;
 H. R. 13170. An act granting an increase of pension to Ruth M. Shepley, now Haskell;
 H. R. 13241. An act granting an increase of pension to David Deardourff;
 H. R. 13620. An act granting an increase of pension to Silas W. Squires;
 H. R. 13658. An act granting an increase of pension to Henry Smith;
 H. R. 13682. An act granting an increase of pension to William E. Wheeler;
 H. R. 13910. An act granting a pension to Henry E. Wright;
 H. R. 14140. An act granting an increase of pension to William Y. Clinton;
 H. R. 14489. An act granting an increase of pension to John M. Porter;
 H. R. 14635. An act granting an increase of pension to Alexander Moore;
 H. R. 14662. An act granting an increase of pension to Aaron Fanshaw;
 H. R. 14799. An act granting an increase of pension to Napoleon B. Wing;
 H. R. 14889. An act granting an increase of pension to Alfred W. Dearborn;
 H. R. 14919. An act granting a pension to Kearney May;
 H. R. 14936. An act granting an increase of pension to James T. Wolverton;
 H. R. 15030. An act granting an increase of pension to David Rothschild;
 H. R. 15190. An act granting an increase of pension to James M. Paul;
 H. R. 15197. An act granting an increase of pension to Calvin C. Griffith;
 H. R. 15244. An act granting an increase of pension to Rebecca V. Mackenzie;
 H. R. 15308. An act granting an increase of pension to Francis M. Prewett;
 H. R. 15344. An act granting an increase of pension to William B. Atwater;
 H. R. 15660. An act granting an increase of pension to Jacob R. Sharretts;
 H. R. 15686. An act granting an increase of pension to Anna A. Dunn;

H. R. 15722. An act granting an increase of pension to David Guthrie;
 H. R. 15732. An act granting an increase of pension to Edwin O. Pierce;
 H. R. 15733. An act granting an increase of pension to Peter Horth;
 H. R. 15760. An act granting an increase of pension to John W. Strayer;
 H. R. 15762. An act granting an increase of pension to James L. Olmsted;
 H. R. 15781. An act granting an increase of pension to Granville F. Plummer;
 H. R. 15782. An act granting an increase of pension to Charles H. Warner;
 H. R. 15783. An act granting an increase of pension to Charles J. Richards;
 H. R. 15784. An act granting an increase of pension to Joseph Wingate;
 H. R. 15786. An act granting an increase of pension to Horatio W. Longa;
 H. R. 15850. An act granting an increase of pension to Samuel Shadman;
 H. R. 15855. An act granting an increase of pension to Loren Austin;
 H. R. 15864. An act granting a pension to Margaret La Parle;
 H. R. 15871. An act granting an increase of pension to John Leonard;
 H. R. 15872. An act granting an increase of pension to Marvin Welton;
 H. R. 15892. An act granting an increase of pension to Martha F. Field;
 H. R. 15893. An act granting an increase of pension to James A. McClung;
 H. R. 15930. An act granting an increase of pension to William H. Cray;
 H. R. 16053. An act granting an increase of pension to Florence Emery Blake;
 H. R. 16077. An act granting an increase of pension to Andrew J. Clark;
 H. R. 16087. An act granting an increase of pension to Harriet H. Brady;
 H. R. 16108. An act granting an increase of pension to Andrew S. Ray;
 H. R. 16109. An act granting a pension to Alice W. T. Groesbeck;
 H. R. 16124. An act granting an increase of pension to John Morgan;
 H. R. 16125. An act granting an increase of pension to Eugene C. Moger;
 H. R. 16141. An act granting an increase of pension to John Parks;
 H. R. 16157. An act granting an increase of pension to Charles W. Martin;
 H. R. 16171. An act granting an increase of pension to Sarah D. Tarver;
 H. R. 16172. An act granting an increase of pension to Georgia A. Warren;
 H. R. 16173. An act granting an increase of pension to Allen Riggs;
 H. R. 16194. An act granting an increase of pension to James Gwyn;
 H. R. 16199. An act granting an increase of pension to Joseph McGuckian;
 H. R. 16259. An act granting an increase of pension to John Walz;
 H. R. 16260. An act granting an increase of pension to Frederick Hark;
 H. R. 16263. An act granting an increase of pension to Llewellyn Niles;
 H. R. 16303. An act granting an increase of pension to Joseph W. Tyler;
 H. R. 16348. An act granting an increase of pension to John-son Anderson;
 H. R. 16387. An act granting an increase of pension to Sarah F. Mathison;
 H. R. 16442. An act granting an increase of pension to Catherine E. Ray;
 H. R. 16480. An act granting an increase of pension to Preston Glover;
 H. R. 16481. An act granting an increase of pension to Frederick M. Halbritter;
 H. R. 16483. An act granting an increase of pension to James H. Silcott;
 H. R. 16506. An act granting an increase of pension to Samuel B. Gray;

H. R. 16594. An act granting an increase of pension to Jacob A. Kryer;
 H. R. 16666. An act granting an increase of pension to Alfreda B. Coburn;
 H. R. 16683. An act granting a pension to Jesse Peters;
 H. R. 16704. An act granting an increase of pension to Michael Lewis;
 H. R. 16715. An act granting a pension to Helen Calvert;
 H. R. 16807. An act granting an increase of pension to Elmer C. Jordan;
 H. R. 16809. An act granting an increase of pension to Patrick Cotter;
 H. R. 16894. An act granting an increase of pension to Jeremiah Conner, alias James Boone;
 H. R. 16904. An act granting a pension to Louis Sherard;
 H. R. 16945. An act granting an increase of pension to Alvin B. Franklin;
 H. R. 17093. An act granting an increase of pension to Felix Monaghan; and
 H. R. 17241. An act granting an increase of pension to David A. Miller.

CREDENTIALS.

Mr. PLATT of New York presented the credentials of CHAUNCEY MITCHELL DEFEW, chosen by the legislature of the State of New York a Senator from that State for the term beginning March 4, 1905; which were read, and ordered to be filed.

Mr. GIBSON presented the credentials of Thomas H. Carter, chosen by the legislature of the State of Montana a Senator from that State for the term beginning March 4, 1905; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Chamber of Commerce of Boston, Mass., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of New Bedford, Boston, Brockton, Buckland, Conway, Hadley, Beverly, and Lynn, all in the State of Massachusetts, remonstrating against the enactment of legislation providing for the closing on Sunday of certain places of business in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of 24 citizens of Springfield, Mass., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented the petition of James P. Stoddard and 35 other citizens of Boston, Mass., praying for the enactment of legislation providing for continued prohibition of the liquor traffic in the Indian Territory according to recent agreements with the Five Civilized Tribes; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Gloucester, Mass., and a petition of 24 citizens of Orange, Mass., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York presented a memorial of the American Protective Tariff League, remonstrating against any change in the present tariff law; which was referred to the Committee on Finance.

Mr. CLARK of Montana presented the memorial of Edward Laird Mills, chairman of the temperance committee of the Montana Conference of the Methodist Episcopal Church, of Milner, Mont., remonstrating against the repeal of the present antican-teen law; which was referred to the Committee on Military Affairs.

He also presented a petition of National Park Division, No. 232, Brotherhood of Locomotive Engineers, of Livingston, Mont., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. McCREARY presented the petition of O. P. Wallace and 21 other citizens of Garrard, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. STONE presented a memorial of sundry citizens of Canton, Mo., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Pacific Lodge, No. 64, Brotherhood of Railroad Trainmen, of Pacific, Mo., and a petition of Local Lodge, No. 92, Brotherhood of Railroad Trainmen, of St. Joseph, Mo., praying for the passage of the so-called "employers'

liability bill;" which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Kansas City Relief Drug-gists' Association, of Kansas City, Mo., praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

Mr. KNOX presented petitions of Washington Camp, No. 504, Patriotic Order Sons of America, of Cooksburg; of Patriotic Order Sons of America, of Mauch Chunk; of Washington Camp, No. 134, Patriotic Order Sons of America, of Port Carbon, and of Washington Camp, No. 370, Patriotic Order Sons of America, of Bendersville, all in the State of Pennsylvania, praying for the enactment of legislation providing more stringent laws and regulations governing immigration; which were referred to the Committee on Immigration.

He also presented petitions of the Pennsylvania Congress of Mothers; Emma Blakeston, of Philadelphia; John D. Macfarlan, of Philadelphia; F. M. Newcomb, of Philadelphia; United Congregations of Honeybrook; George K. Johnson, of Philadelphia; E. E. Adams, of Butler, all in the State of Pennsylvania, and of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Pittsburg Conference Woman's Home Missionary Society of the Methodist Episcopal Church, of Pittsburg; Bethlehem Branch of the National Indian Association, of Bethlehem; Woman's Home Missionary Society of the Methodist Episcopal Church of Bellevue; of the Woman's Christian Temperance Union of Verona; of the Woman's Christian Temperance Union of Douglass; of the Woman's Home Missionary Society of the Emory Methodist Episcopal Church, of Pittsburg; of the Young Woman's Home Missionary Society of Emory Methodist Episcopal Church, of Pittsburg; of the Mount Washington Young Woman's Home Missionary Society, of Pittsburg; of the Young Women's Christian Temperance Union of Bellevue; women of the First Presbyterian Church of Carnegie, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Indian Territory when admitted to statehood; which were ordered to lie on the table.

He also presented a petition of the National Business League of Chicago, Ill., praying for the enactment of legislation providing for the proper regulation of transportation rates; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Association of Army Nurses, Civil War, of Brockville, Pa., and a petition of the Association of Army Nurses, Civil War, of Philadelphia, Pa., praying for the enactment of legislation to increase the pensions of army nurses of the civil war; which were referred to the Committee on Pensions.

He also presented a memorial of the Pittsburg Conference, Woman's Home Missionary Society of the Methodist Episcopal Church, of Pittsburg, Pa., and a memorial of the Woman's Home Missionary Society of the Bellevue Methodist Episcopal Church, of Bellevue, Pa., remonstrating against the repeal of the present anticean law; which were referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 309, Cigar Makers' Union, of Rothsville, Pa., and a memorial of F. Eckerson & Co., of Philadelphia, Pa., remonstrating against any reduction in the tariff on tobacco and cigars imported from the Philippine Islands; which were referred to the Committee on the Philippines.

He also presented petitions of Hon. Charles Miller Division, No. 43, Brotherhood of Locomotive Engineers, of Meadville; of Nicholls Division, No. 229, Order of Railway Conductors, of Reading, and Onoka Lodge, No. 211, Brotherhood of Locomotive Firemen, of Easton, all in the State of Pennsylvania, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Pennsylvania Dairy Union; of the Lehigh Valley Medical Association, of Easton, and of Dr. H. C. Wood, jr., of Philadelphia, all in the State of Pennsylvania, praying for the passage of the so-called "pure-food bill;" which were ordered to lie on the table.

He also presented memorials of the Adams County Agricultural Association, of Sugar Creek Grange, No. 1131, Patrons of Husbandry, of Cooperstown; of Salem Grange, No. 964, Patrons of Husbandry, of Dubois; of Mountain Grange, No. 567, Patrons of Husbandry, of Carverton; of F. E. Boardman, F. H. Fox, James P. Allen, W. W. Brewer, B. W. Boardman, W. L. Baxter, F. C. Knapp, of North Orwell; of A. L. Morris, Ray B. Parks, Henry W. Coryell, and of L. B. Sexton, of Rome, all in

the State of Pennsylvania, remonstrating against the repeal of present oleomargarine law; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Pittsburg Conference, Woman's Home Missionary Society of the Methodist Episcopal Church, of Pittsburg, Pa., and of the Woman's Home Missionary Society of the Bellevue Methodist Episcopal Church, of Bellevue, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented memorials of sundry citizens of Woodbury, N. J., remonstrating against the repeal of the present anticean law; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Camden, N. J., and a petition of the Haddon Fortnightly, of Haddonfield, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Woman's Christian Temperance Union of Dennisville, N. J., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

He also presented a petition of the Political Study Club, of Ocean Grove, N. J., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented a petition of Gabriel R. Paul Post, No. 111, Department of New Jersey, Grand Army of the Republic, of Westwood, N. J., and a petition of John Murray Post, No. 113, Department of New Jersey, Grand Army of the Republic, of Cape May, N. J., praying for the enactment of legislation providing for increase of pensions; which were referred to the Committee on Pensions.

He also presented the petition of Dr. J. H. Finnerty, of Jersey City, N. J., praying for the enactment of legislation amending the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

He also presented a memorial of Local Union No. 230, Cigar Makers' International Union of America, of Millville, N. J., remonstrating against any reduction of the duty on cigars imported from the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented the petition of Larter & Sons, of Newark, N. J., and a petition of the Trenton Water Company, of Trenton, N. J., praying for the enactment of legislation providing for the registration of trade-marks used in commerce with foreign nations or of the several States and Territories; which were referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a memorial of the State Grange, Patrons of Husbandry, of Illinois, remonstrating against the granting of a ship subsidy; which was referred to the Committee on Commerce.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the passage of the so-called "good roads bill;" which was ordered to lie on the table.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the speedy construction of the Isthmian Canal; which was ordered to lie on the table.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the enactment of legislation providing for the extension of the free rural mail service; which was referred to the Committee on Post-Offices on Post-Roads.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the construction of a ship canal from the Missouri River to the Great Lakes and from the Great Lakes to the Atlantic Ocean; which was referred to the Committee on Commerce.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the enactment of legislation providing for the extension of markets for farm products equally with manufactured goods; which was referred to the Committee on Finance.

He also presented a petition of the State Grange, Patrons of Husbandry, of Illinois, praying for the passage of the so-called

"eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Washington, Ill., remonstrating against the present practice of Mormonism; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of Frederick Law Olmsted, jr., of Brookline, Mass., praying for the enactment of legislation to extend Nineteenth street NW., from Cincinnati street to the Adams Mill road, and to acquire the triangle abutting on the east side thereof; which was referred to the Committee on the District of Columbia.

He also presented the petition of Marion Talbot, of Chicago, Ill., and the petition of Edward A. Bechtel, of Chicago, Ill., praying for the enactment of legislation providing for compulsory education in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented the petition of B. Frank Leeds, of San Jose, Cal., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, grounds, and ships; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Minerva Club, of New York City, praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Fitzwilliam; of D. C. Hooke, of Fremont; of the Woman's Christian Temperance Union of Hinsdale, and of the Woman's Christian Temperance Union of Concord, all in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOR, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GAMBLE presented a petition of the South Dakota and Southwest Minnesota Millers' Club, of Pipestone, Minn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Mrs. E. T. Brelsford and sundry other citizens of Rapid City, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of liquors, and remonstrating against the repeal of the antican-teen law; which was referred to the Committee on the Judiciary.

Mr. KITTREDGE presented the memorial of Henry Hanson and 52 other citizens of Webster, S. Dak., remonstrating against the enactment of legislation requiring certain places in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. HOPKINS presented a petition of sundry citizens of Illinois, praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

He also presented a petition of sundry citizens of Illinois, praying for the enactment of legislation providing for the protection of Indians against the liquor traffic in new States to be formed; which was ordered to lie on the table.

Mr. BURROWS presented petitions of sundry citizens of Big Rapids, Marquette, Corunna, Grand Rapids, and Ann Arbor, all in the State of Michigan, praying for the enactment of legislation providing for the extension and improvement of Massachusetts and Boundary avenues NW., in the city of Washington; which were referred to the Committee on the District of Columbia.

He also presented memorials of the East Michigan Conference of the Seventh Day Adventists of Lansing, of sundry citizens of Gladstone, and of sundry citizens of Belding, all in the State of Michigan, remonstrating against the enactment of legislation providing for the closing on Sunday of certain places of business in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Women's Health Protective Association of New York City, praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented memorials of Hersey Grange, No. 513, Patrons of Husbandry, of Hersey; of the Farmers' Institute of Bellevue, and of sundry citizens of Olivet, all in the State of Michigan, remonstrating against the repeal of the present oleomargarine law; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Social Auxiliary of the Methodist Episcopal Church of Coleman; of the Custer Farmers' Club, of Macedona, and of the Woman's Christian Temperance Union of Gladwin, all in the State of Michigan, praying for the adoption of a certain amendment to the suffrage

clause in the statehood bill; which were ordered to lie on the table.

He also presented memorials of Timothy Edwards, of Belleville; of the Woman's Christian Temperance Union of Pentwater, of the Woman's Christian Temperance Union of Pinckney, and of the Woman's Christian Temperance Union of Uby, all in the State of Michigan, remonstrating against the repeal of the present antican-teen law; which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Prattville and Hesperia, in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOR, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Division No. 6, Order of Railway Conductors, of Battle Creek; of Wolverine Division, No. 182, Order of Railway Conductors, of Jackson, and of Pingree Lodge, No. 636, Brotherhood of Railroad Trainmen, of Detroit, all in the State of Michigan, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

He also presented petitions of the National League of Commission Merchants, of Detroit; of the Alma Roller Mills, of Alma; of O. W. Rowland, of Van Buren County, and of sundry citizens of Grand Rapids, all in the State of Michigan, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Lake Superior Subdivision, No. 116, Brotherhood of Locomotive Engineers, of Escanaba, Mich., and a petition of Detroit Subdivision, No. 1, Brotherhood of Locomotive Engineers, of Detroit, Mich., praying for the enactment of legislation to prohibit the employment of locomotive engineers who have not had three years' experience as firemen; which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Livingston County, Albion, Hillsdale, Detroit, Bay City, Uby, Manton, Petoskey, Traverse City, Sherman, Lansing, Manistee, Mears, and Allegan, all in the State of Michigan; of the Indian Territory Church Federation, of Muscogee; of the National Woman's Christian Temperance Union, of Washington, D. C.; of the Indian Rights Association of Lake Mohonk, N. Y.; of the Indian Rights Association of Philadelphia, Pa., and of the Woman's Board of Home Missions of the Presbyterian Church, of New York City, praying for the enactment of legislation providing for continued prohibition of the liquor traffic in the Indian Territory according to recent agreements with the Five Civilized Tribes; which were ordered to lie on the table.

Mr. SPOONER presented a petition of the Board of Supervisors of Jackson County, Wis., praying that an appropriation be made for the establishment of a home for aged and infirm members of the Winnebago tribe of Indians; which was referred to the Committee on Indian Affairs.

He also presented the petition of Edward Williams and sundry other druggists of Madison, Wis., and a petition of the Rock County Druggists' Association of Wisconsin, praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which were referred to the Committee on Patents.

He also presented a petition of Antigo Lodge, No. 151, Brotherhood of Railroad Trainmen, of Antigo, Wis., and a petition of Superior Division, No. 288, Order of Railway Conductors, of Superior, Wis., praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

He also presented the memorial of Rollin Rhinehart and 88 other citizens of Yuba, Wis., and the memorial of William Covert and 123 other citizens of Bethel, Wis., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. DOLLIVER presented a petition of the Farmers' Institute of Graettinger, Iowa, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented the memorial of C. E. Preston and sundry other citizens of Lake City, Iowa, remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of Preston Powell and sundry other citizens of Adair, Iowa, praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

He also presented a memorial of Local Union No. 120, Cigar Makers' International Union of America, of Muscatine, Iowa, remonstrating against any reduction of the duty on tobacco imported from the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented petitions of Local Division No. 232, Order of Railway Conductors, of Sioux City; of Local Lodge No. 581, Order of Railroad Trainmen, of Dubuque; of G. E. Boynton Lodge, No. 138, Order of Railroad Trainmen, of Eagle Grove; of Local Division No. 124, Brotherhood of Locomotive Firemen, of Perry; of Local Division No. 22, Order of Railway Conductors, of Mason City, all in the State of Iowa, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. ANKENY presented a petition of Puget Sound Lodge, No. 196, Brotherhood of Railroad Trainmen, of Seattle, Wash., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Druggists' Association of Spokane, Wash., praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

He also presented a memorial of the Ancient Order of Hibernians, of Seattle, Wash., remonstrating against the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

Mr. COCKRELL presented a memorial of sundry citizens of Clinton, Mo., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Kansas City Retail Druggists' Association, of Kansas City, Mo., praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which was referred to the Committee on Patents.

He also presented petitions of sundry citizens of Garden City, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to Indians in the Indian Territory when admitted to statehood; which were ordered to lie on the table.

Mr. HANSBROUGH. Mr. President, I present resolutions adopted by the Tri-State Stock and Grain Growers' Association of the States of North and South Dakota and Minnesota in convention assembled at Fargo, N. Dak., last week. I wish to say that this convention was composed of about 2,000 grain growers from the States I have named, covering a territory which produces all the way from one hundred and fifty to two hundred million bushels of grain each year. I desire to have the resolutions read at the desk.

The PRESIDENT pro tempore. The Senator from North Dakota asks that the resolutions which he presents be read. Is there objection? The Chair hears none, and they will be read.

The Secretary read as follows:

Resolved, That we do not favor the movement for special legislation by Congress for the purpose of importing seed wheat from Canada, free of duty, for the reason that there is a great plenty of the best of seed wheat in northwestern Dakota for all who may desire it.

Whereas dairying is rapidly becoming one of the chief industries of Minnesota and is destined to spread with a sure and rapid growth into the two Dakotas; and

Whereas certain large corporate interests are endeavoring in many ways to change the present Federal oleomargarine laws: Therefore, be it

Resolved, That we, the farmers, stockmen, and dairymen of these three States in convention assembled view with displeasure any agitation or legislation tending toward any change or modification of our present national oleomargarine law.

Resolved, That this convention favors the passing of the Adams bill for the purpose of extending and enlarging the scope of research and scientific investigation of the State experiment stations.

Resolved, That copies of these resolutions be forwarded to the honorable Secretary of Agriculture and to our Representatives in Congress, and that they be urged to do all in their power to secure ample appropriations for the needs of the Department of Agriculture and for the passage of the Adams bill.

Resolved, That we, the representative farmers of the Northwest, most earnestly request the Representatives in the United States Congress from North Dakota, Minnesota, and South Dakota to use all honorable means against the "drawback" system, which is no more or less than a simple rebate of duty on Canadian wheat, for the reason that to allow the millers of Minneapolis or elsewhere in the United States to import wheat from Canada, and after milling the same to get a rebate of the tariff paid at the time of importation, operates directly against the interest of the northwestern wheat growers and must of necessity result in reducing the price of American wheat.

Resolved further, That we ask our Representatives to use the same effort to reduce and equalize freight rates and to wipe out the "drawback" or rebate system on all classes of freight shipment, to the end that the States represented in this convention may be put upon the same basis in the transportation of their products as that of other States.

Whereas statistics and Government reports show that the farmers of the United States produced wealth during the past year to the value of more than \$4,900,000,000, while the total value of all the mining,

manufacturing, and other industries amounted to but little more than half that sum; and

Whereas in proportion to the relative importance of agriculture as compared with other industries that are liberally fostered by the Government and the annual expense of the Government for the maintenance of the Army and Navy, and even the Department of Commerce, the sums appropriated for the Department of Agriculture for agricultural research are comparatively insignificant and, moreover, wholly inadequate to meet the demands made upon it for investigations into the cause of and remedy for rust in grain and other cereal diseases and diseases of live stock, damage from injurious insects, which alone amounts annually to about \$400,000,000, the testing of crops adapted to regions of insufficient rainfall, and for plant breeding to adapt them to peculiar soil and climatic conditions, etc.; and

Whereas funds appropriated for the improvement of agriculture and for agricultural research returns to the country a hundredfold the amount so expended, and for the further reason that the Government aid for all the agricultural colleges and experiment stations of the United States for two years would not more than be sufficient to build and equip one first-class battle ship; and that the additional annual appropriations asked for are not in excess of the cost and equipment of a modern gunboat, and at a time, too, when the Government is able to and does build battle ships at its pleasure: Therefore,

Resolved, That the Tri-State Grain and Stock Growers' Convention urges Congress to appropriate sums of money sufficiently liberal to enable the Department of Agriculture to meet the largest demands made upon it for the advancement of the farming interests of the Northwest.

Resolved, That we heartily and most emphatically indorse the work of Secretary Wilson, Commissioner of Agriculture, in what he is doing toward giving the grain growers of the United States a law for the national inspection of grains that will take the place of the different States' inspection, which often do injustice to the farmers in selling and shipping grains from one State to another. We appreciate the efforts of Senator McCUMBER in this matter, and ask that all our Congressmen work for national inspection.

I. J. A. Johnson, secretary of the Tri-State Grain and Stock Growers' Association, of the States of Minnesota, North Dakota, and South Dakota, hereby certify that the foregoing is a true and correct copy of resolutions passed by the above association in convention at Fargo, N. Dak., on the 20th day of January, 1905.

J. A. JOHNSON, Secretary.

The PRESIDENT pro tempore. What disposition does the Senator wish made of the resolutions?

Mr. HANSBROUGH. I think that they should lie on the table for the present.

The PRESIDENT pro tempore. It will be so ordered.

Mr. HANSBROUGH. I have further resolutions, which were also considered and adopted by that convention, touching a question which is referred to in the resolutions which have just been read, and as these resolutions are much more succinct and, as I think, much more to the point, I will ask that they also may be read.

There being no objection, the resolutions were read, and ordered to lie on the table, as follows:

Resolutions adopted by the Tri-State Stock and Grain Growers' Association, assembled at Fargo, N. Dak.

Whereas the National Millers' Federation has applied to the Department of Justice at Washington, D. C., for a construction of section 30 of the Dingley tariff act, known as the "drawback clause," so as to allow the importation of Canadian and other foreign wheat into the United States upon paying a duty of 25 cents per bushel, said wheat to be mixed with domestic wheat, and upon exporting the manufactured flour a rebate of 99 per cent of the duty paid to be given to the exporter, the amount of flour ground from the imported wheat to depend upon the certification or affidavit of the manufacturer of said flour, waiving the identification of the foreign product in the completed article; and

Whereas in the opinion of the Tri-State Stock and Grain Growers' Association in convention assembled at Fargo, N. Dak., the granting of said request of the millers would practically nullify paragraph 234 of said law and would prove disastrous to the wheat growers of the Northwest: Therefore, be it

Resolved, by the members of the grain growers' convention at Fargo, N. Dak., that we earnestly protest against the granting of the application of the National Millers' Federation, and request our delegates in Congress to put forth every reasonable effort to protect the interests of the grain growers of the Northwest against any such injustice as would naturally follow the construction of the Dingley tariff act as requested by the National Millers' Federation; and be it further

Resolved, That a copy of these resolutions be mailed to the Secretary of the Treasury, the Secretary of Agriculture, the Attorney-General, and to each of our Representatives in Congress.

EXTRADITION FROM THE PHILIPPINE ISLANDS.

Mr. LODGE. From the Committee on the Philippines I report favorably without amendment the bill (H. R. 17646) to extend certain provisions of the Revised Statutes of the United States to the Philippine Islands. I ask for its present consideration.

The Secretary read the bill, as follows:

Be it enacted, etc., That the provisions of sections 5270, 5271, 5272, 5273, 5274, 5275, 5276, and 5277 of the Revised Statutes (as amended by the act approved August 3, 1882), so far as applicable, shall apply to the Philippine Islands for the arrest and removal therefrom of any fugitives from justice charged with the commission within the jurisdiction of any foreign government of any of the crimes provided for by treaty between the United States and such foreign nation, and for the delivery by a foreign government of any person accused of crime committed within the jurisdiction of the Philippine Islands. Such fugitive from justice of a foreign country may, upon warrant duly issued by any judge or magistrate of the Philippine Islands, and agreeably to the usual mode of process against offenders therein, be arrested

and brought before such judge or magistrate, who shall proceed in the matter in accordance with the provisions of the Revised Statutes hereby made applicable to the Philippine Islands: *Provided*, That for the purposes of this section the order or warrant for delivery of a person committed for extradition prescribed by section 5272 of the Revised Statutes shall be issued by the governor of the Philippine Islands under his hand and seal of office, and not by the Secretary of State.

SEC. 2. That the provisions of sections 5409 and 5410 of the Revised Statutes are hereby made applicable to proceedings in extradition from the Philippine Islands, either to the United States under an act entitled "An act to provide for the removal of persons accused of crime to and from the Philippine Islands for trial," approved February 9, 1903, or to foreign countries under the provisions of this act.

Mr. BACON. I will ask that I may have the number of the sections referred to again stated.

Mr. LODGE. They are the extradition sections.

Mr. BACON. I know; but I wish to have the number of the sections stated.

The SECRETARY. Sections 5270, 5271, 5272, 5273, 5274, 5275, 5276, and 5277.

Mr. LODGE. Embracing the whole number in that title.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. BACON. I was unable to catch the reading entirely. As I understand the bill, it will make applicable to the Philippine Islands the statutes of the United States—

Mr. LODGE. That is it.

Mr. BACON. So far as they are intended to make treaties with foreign countries perfect in their operation.

Mr. LODGE. We are unable now to extradite a criminal from the Philippine Islands under the treaties with foreign countries.

Mr. BACON. It is simply the same machinery provided there as in the United States. That is the purpose of it?

Mr. LODGE. That is all. It simply extends those sections to the Philippine Islands.

The bill was ordered to a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15747) granting an increase of pension to Henry A. Wesson;

A bill (H. R. 15746) granting an increase of pension to Israel Roll;

A bill (H. R. 14444) granting an increase of pension to William A. Stovall;

A bill (H. R. 15639) granting a pension to Mollie Townsley;

A bill (H. R. 15637) granting an increase of pension to William A. Smith; and

A bill (H. R. 11494) granting an increase of pension to Sarah Jane Grissom.

Mr. FAIRBANKS, from the Committee on the Judiciary, to whom was referred the amendment submitted by himself on the 11th instant relative to the printing by the Commission to Revise the Criminal and Penal Laws of the United States of the various titles of the general and permanent laws of the United States as fast as they may be revised, etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. HOPKINS, from the Committee on Fisheries, to whom was referred the bill (S. 6572) to establish a fish-cultural station in the State of Illinois, reported it with an amendment, and submitted a report thereon.

Mr. SMOOT, from the Committee on Pensions, to whom was referred the bill (S. 1660) granting an increase of pension to John C. Wilkinson, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 16444) granting an increase of pension to Henry C. Snyder, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6571) granting an increase of pension to John Van Lear;

A bill (S. 4551) granting an increase of pension to Richard Gable;

A bill (H. R. 15918) granting an increase of pension to Thomas Cullen;

A bill (H. R. 15887) granting an increase of pension to George F. Ludwig;

A bill (H. R. 15946) granting an increase of pension to Oliver Marcus Bump;

A bill (H. R. 15941) granting an increase of pension to Israel V. Hoag; and

A bill (H. R. 16962) granting an increase of pension to James J. Creigh.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5636) granting an increase of pension to James Nowell;

A bill (S. 6562) granting an increase of pension to George W. Moyer; and

A bill (S. 6432) granting an increase of pension to James Campbell.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 4588) granting a pension to Hannah B. Nyce, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 16396) granting a pension to Edwin A. Sherburn, to submit an adverse report thereon upon the ground that the beneficiary has died since the bill passed the House.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6938) granting an increase of pension to Patrick W. Kennedy;

A bill (S. 6441) granting an increase of pension to John Seby;

A bill (S. 3898) granting an increase of pension to Noah C. Standiford;

A bill (S. 6675) granting an increase of pension to Halsey S. Curry;

A bill (S. 6897) granting an increase of pension to James Flanagan;

A bill (S. 6896) granting an increase of pension to William Gleason;

A bill (S. 6898) granting an increase of pension to Joseph Wood, alias Joseph Rule;

A bill (S. 6185) granting an increase of pension to Thomas Read;

A bill (S. 6415) granting an increase of pension to Daniel Bolen;

A bill (H. R. 16525) granting an increase of pension to Henry A. Glenn;

A bill (H. R. 16748) granting a pension to Fronna J. Wooten;

A bill (H. R. 16471) granting a pension to Martha C. Watkins;

A bill (H. R. 16526) granting an increase of pension to John H. Caton;

A bill (H. R. 16578) granting an increase of pension to Caroline Vifquain;

A bill (H. R. 16579) granting an increase of pension to Isaac Vanatta;

A bill (H. R. 16598) granting an increase of pension to John Bryan;

A bill (H. R. 16730) granting an increase of pension to Daniel Smith;

A bill (H. R. 16104) granting an increase of pension to Thomas Lanning;

A bill (H. R. 15888) granting an increase of pension to James E. Andrews;

A bill (H. R. 16619) granting an increase of pension to George Meisner;

A bill (H. R. 16620) granting an increase of pension to Alonzo Ackerman;

A bill (H. R. 15947) granting an increase of pension to Philander S. Wright;

A bill (H. R. 16226) granting an increase of pension to William W. Smith;

A bill (H. R. 16162) granting an increase of pension to Charles Müller;

A bill (H. R. 16390) granting an increase of pension to Mortimer C. Briggs; and

A bill (H. R. 16896) granting an increase of pension to Thomas Reynolds.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 6676) granting an increase of pension to Albert S. Hopson;

A bill (S. 6762) granting an increase of pension to David Wertz;

A bill (S. 6580) granting an increase of pension to Melissa E. Nelson;

A bill (S. 6442) granting an increase of pension to William Southwick;

A bill (S. 5890) granting an increase of pension to Andrew Magnuson; and

A bill (S. 6099) granting an increase of pension to Dempsey Ferguson.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6096) granting an increase of pension to Charles Grass;

A bill (S. 4638) granting an increase of pension to Edwin F. Barrett;

A bill (S. 6045) granting an increase of pension to Almon W. Bennett;

A bill (S. 6661) granting a pension to Edwin R. Kennedy;

A bill (S. 6443) granting an increase of pension to Terence J. Tully;

A bill (S. 6440) granting an increase of pension to John F. Wallace;

A bill (S. 6578) granting an increase of pension to Josiah Pearson; and

A bill (S. 6579) granting an increase of pension to J. W. Foley.

Mr. McCUMBER (for Mr. FOSTER of Washington), from the Committee on Pensions, to whom was referred the bill (H. R. 16443) granting an increase of pension to Johanna J. Naughton, reported it without amendment, and submitted a report thereon.

He also (for Mr. FOSTER of Washington), from the same committee, to whom was referred the bill (S. 5505) granting an increase of pension to William B. Chapman, reported it with an amendment, and submitted a report thereon.

He also (for Mr. FOSTER of Washington), from the same committee to whom was referred the bill (S. 5824) granting an increase of pension to Benjamin P. Thompson, reported it with amendments, and submitted a report thereon.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16502) granting an increase of pension to Henry Rader;

A bill (H. R. 16503) granting an increase of pension to Dillon Asher;

A bill (H. R. 16617) granting an increase of pension to Jacob Bowers;

A bill (H. R. 15962) granting an increase of pension to Charles T. Beals;

A bill (H. R. 16386) granting an increase of pension to Bryan Dunbar;

A bill (H. R. 15929) granting an increase of pension to Anna E. Brown;

A bill (H. R. 15927) granting an increase of pension to Freeman C. Witherby;

A bill (H. R. 16385) granting an increase of pension to Edwin Vincent;

A bill (H. R. 16420) granting an increase of pension to William C. Travis;

A bill (H. R. 16426) granting an increase of pension to Alexander Jones; and

A bill (H. R. 16618) granting an increase of pension to Alfred N. Brown.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6388) granting an increase of pension to George W. Hadlock; and

A bill (S. 6799) granting a pension to Ezra Walker Abbott.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6698) granting an increase of pension to Charlotte Johnson;

A bill (S. 899) granting an increase of pension to John Moulton;

A bill (S. 6374) granting an increase of pension to Lewis Secor;

A bill (H. R. 16603) granting an increase of pension to George S. Williams;

A bill (H. R. 15954) granting an increase of pension to Ira D. McClary;

A bill (H. R. 16121) granting an increase of pension to Edward Root;

A bill (H. R. 16123) granting an increase of pension to William Smith;

A bill (H. R. 16167) granting an increase of pension to Edward J. Dillon;

A bill (H. R. 15922) granting an increase of pension to William J. Cheney;

A bill (H. R. 15924) granting an increase of pension to William Shadrick;

A bill (H. R. 16166) granting an increase of pension to Charles P. Morrison;

A bill (H. R. 16165) granting an increase of pension to Francis L. Howard;

A bill (H. R. 16424) granting an increase of pension to Charles M. Fay;

A bill (H. R. 15558) granting an increase of pension to Edwin R. Manson;

A bill (H. R. 15504) granting an increase of pension to Ellen Tuite;

A bill (H. R. 14028) granting an increase of pension to Carrie E. Risley;

A bill (H. R. 15239) granting a pension to Isabella Burke; and

A bill (H. R. 15240) granting an increase of pension to James C. Baker.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 6701) granting a pension to Charles B. Spencer, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 6556) granting a pension to Amanda B. Mack; and

A bill (S. 6727) granting an increase of pension to Simeon Perry.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 15004) granting an increase of pension to William N. Meacham, reported it without amendment, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Pensions, to whom was referred the bill (H. R. 16395) granting an increase of pension to Josephine A. Smith, reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills; reported them severally with amendments, and submitted reports thereon:

A bill (S. 6840) to authorize the construction of a bridge over the Black Warrior River between the counties of Green and Marengo, in the State of Alabama;

A bill (S. 6841) to authorize the construction of a bridge over the Alabama River between the counties of Clark and Monroe, State of Alabama; and

A bill (S. 6839) to authorize the construction of a bridge over the Tombigbee River, in the county of Lowndes, in the State of Mississippi.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (H. R. 16132) granting an increase of pension to Mary A. Seele, reported it without amendment, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. 6647) granting to the Choctaw, Oklahoma and Gulf Railroad Company the power to sell and convey to the Chicago, Rock Island and Pacific Railway Company all the railway property, rights, franchises, and privileges of the Choctaw, Oklahoma and Gulf Railroad Company, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 17109) to define the limits of square 1131 in the city of Washington, D. C., reported it without amendment, and submitted a report thereon.

Mr. ELKINS, from the Committee on Interstate Commerce, reported an amendment authorizing the Secretary of the Interior, under the supervision of the Director of the Geological Survey, to cause to be made a railroad map of the United States showing the connecting lines in the Dominion of Canada and the Republic of Mexico, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. McCREARY introduced a bill (S. 6940) granting an increase of pension to George W. Enyart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 6941) for the relief of the trustees of the Methodist Episcopal Church South, of Barboursville, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced a bill (S. 6942) for the relief of Martha A. Moffitt, widow of Eli A. Moffitt; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 6943) granting an increase of pension to Francis W. Little; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 6944) to authorize the resurvey of certain lands in the State of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 6945) granting an increase of pension to William R. Hubbell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ANKENY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6946) granting an increase of pension to Judson L. Mann; and

A bill (S. 6947) granting an increase of pension to William C. Bishop.

Mr. BURNHAM introduced a bill (S. 6948) granting an increase of pension to Bradford Burnham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 6949) granting a pension to Joseph L. Prentiss; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 6950) for the relief of the estate of Josiah White, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, and in its support, I present the affidavit of Mrs. Mary B. Helm. I move that the bill and accompanying paper be referred to the Committee on Claims.

The motion was agreed to.

Mr. HEYBURN introduced a bill (S. 6951) to authorize the Spokane International Railway Company to construct and maintain bridges across the Pend d'Oreille River and the Kootenai River, in the county of Kootenai, State of Idaho; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTUS introduced a bill (S. 6952) for the relief of the estate of S. F. Pool, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. KEAN introduced a joint resolution (S. R. 101) authorizing the Secretary of War to deliver a condemned cannon to the National Encampment of the Grand Army of the Republic; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PLATT of New York submitted an amendment authorizing the appointment of an assistant judge-advocate-general of the Navy with the rank, pay, and allowances of a commander, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment proposing to increase the salary of the consul at Teneriffe, Spain, from \$1,500 to \$2,000 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. GAMBLE submitted an amendment proposing to increase the salary of the consul at Three Rivers, Canada, from \$2,000 to \$2,500 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ANKENY (for Mr. CLAPP) submitted an amendment providing for the establishment of an additional recording district at Duncan, Ind. T., and for the holding annually of two terms of the United States court at that place, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. LODGE submitted an amendment authorizing the Secretary of the Treasury to increase the compensation of inspectors of customs at the port of Boston, Mass., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment relative to the pay and allowances of officers of the Navy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment relative to the commutation of quarters for commissioned and warrant officers of the Navy on shore not occupying public quarters, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate \$25,000 to enable the Department of Agriculture to carry on special investigations relative to the conditions of grain production in the United States and the means of improving the same, intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. FULTON submitted an amendment providing for the issuance of patents to those who have heretofore purchased any of the lands of the Umatilla Indian Reservation and have made full and final payment therefor, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment providing for the reference to the Court of Claims of the claims of the Lower band of the Chinook Indians, of the State of Washington, and of the Kathlamet band of Chinook Indians, of the State of Oregon, against the United States for lands taken from them by the United States without consideration, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PROMOTIONS OF NAVAL OFFICERS.

Mr. MILLARD submitted the following resolution; which was referred to the Committee on Naval Affairs:

Resolved, That the Secretary of the Navy is hereby requested to communicate to the Senate of the United States, as soon as practicable, the names of all commissioned, warrant, and volunteer officers of the United States Navy and Marine Corps who were promoted for gallant, meritorious, or conspicuous conduct in action during the war of the rebellion, 1861 to 1865, including the dates and places of the actions, the dates of promotions, and the grades to which promoted in every instance where practicable.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had approved and signed the following acts:

On January 27, 1905:

S. 3246. An act to remove the charge of desertion from the name of Frederick W. Joslin; and

S. 5798. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak.

MEMORIAL ADDRESS ON THE LATE SENATOR HOAR.

Mr. LODGE. Mr. President, I ask unanimous consent that some remarks upon the resolutions commemorative of the life, character, and public services of the late Senator HOAR, which the Senator from Wisconsin [Mr. SPOONER] intended to deliver on Saturday (but he was detained from the Chamber, as the Senate is aware, by illness), may be printed in the RECORD and included in the memorial volume.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the eulogy which the Senator from Wisconsin was deprived of the opportunity to deliver on account of illness may be printed in the RECORD and made a part of the proceedings of last Saturday. Is there objection? The Chair hears none.

Mr. BACON. Mr. President, I will say only a word on the subject, in order that the action of the Senate may not be misconstrued. I think this has been done heretofore in the case of speeches on occasions of memorial exercises and has met with the approval of the Senate where, as in this case, a Senator has been unavoidably absent. I merely call attention at this time to it for the purpose of emphasizing what is known to us all, that the privilege of printing in the RECORD that which was not spoken in the Senate has heretofore been, and I hope will always hereafter be, strictly limited to matters appertaining to such occasions, and not to the ordinary business of the Senate. In other words, the exception made in such cases is not considered to be in any manner a departure from the well-fixed rule and practice of the Senate, which is that in the ordinary, regular proceedings of the Senate no speech of a Senator shall be printed in the RECORD unless such speech has been actually delivered in the Senate.

STATISTICS OF MARRIAGE AND DIVORCE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on the Census, and ordered to be printed:

To the Senate and House of Representatives:

I call the attention of the Congress to the fact that no statistics have been collected by the Federal Government upon the subject of marriage and divorce since the year 1886, and that but few of the States have provisions for the collection of such statistics.

The institution of marriage is, of course, at the very foundation of our social organization, and all influences that affect that institution are of vital concern to the people of the whole country. There is a widespread conviction that the divorce laws are dangerously lax and indifferently administered in some of the States, resulting in a diminishing regard for the sanctity of the marriage relation.

The hope is entertained that cooperation amongst the several States can be secured to the end that there may be enacted upon the subject of marriage and divorce uniform laws, containing all possible safeguards for the security of the family. Intelligent and prudent action in that direction will be greatly promoted by securing reliable and trustworthy statistics upon marriage and divorce. I deem the matter of sufficient general importance to recommend that the Director of the Census be authorized by appropriate legislation to collect and publish statistics pertaining to that subject covering the period from 1886 to the present time.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 30, 1905.

CORPORATIONS IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I have been informed that the attention of Congress has been drawn to the defects of the law authorizing the formation of corporations in the District of Columbia. The evils growing out of the existing law were brought to my notice by a member of the bar of the District, and I directed the Attorney-General to make to me a report upon the subject. From that report it appears that in the past two years there have been incorporated under the law of the District 2,211 companies, with a total authorized capital of nearly \$4,000,000,000. Many of the companies thus incorporated represent no actual investment and may be used by unscrupulous persons to perpetrate fraud upon the public and upon those who may be deluded into investing in their stock. The increase of these corporations is going on with alarming rapidity. On one day of last week one person presented for filing articles for the incorporation of fourteen companies; another person presented for filing articles of incorporation for thirty-eight companies. In each of these the same persons were named as trustees. The aggregate authorized capital proposed for these thirty-eight companies amounted to \$43,000,000. On one day of this week one person presented for filing articles of incorporation for fifty-four companies, in each of which the same three persons were named as trustees. The authorized capital proposed for these companies was over \$200,000,000. The Attorney-General closes his report with the statement that—

"The law governing the formation and control of corporations in the District of Columbia is not, as it should be, a model of its kind, but, on the other hand, is hopelessly vicious."

The evil growing out of these laws is of such magnitude and the necessity for action is so urgent that I recommend to Congress the immediate consideration of the subject. The case calls for the most radical remedy. The right of incorporation ought to be suspended at once until Congress can devise proper legislation for guarding its exercise. Moreover, measures ought to be taken to annul the charters which have already been issued, either by their direct repeal, if that be possible under the Constitution, or by what other legislative action may be deemed necessary. I doubt not that Congress has already seen the necessity of replacing these vicious incorporation laws by those which are governed by sounder principles, which will forbid the issuance of stock or bonds in excess of the actual investment and permit a proper public supervision. When such a law shall have been enacted, all legitimate corporations which have been formed under the existing law may readily be reincorporated.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 30, 1905.

Mr. GALLINGER. Mr. President, before the message is referred, I wish to make a brief statement concerning the subject-matter of which it treats.

The Committees on the District of Columbia of the two Houses have not been indifferent to the abuse that has been going on in the District in reference to the incorporation of companies under the general law. It will be remembered that a distinguished commission of lawyers was employed to prepare a code for the District, and the only law we have on that subject now is embraced in that code. It is under the terms of the code that these companies have been organized.

The Committee on the District of Columbia of the Senate has had this matter under consideration and on the 27th day of April, 1904, a bill was favorably reported from the committee by the Senator from Vermont [Mr. DILLINGHAM] proposing to amend section 552 of the Code of Laws of the District of Columbia, relating to corporations. It escaped my attention that that bill was on the Calendar or I should have asked for its consideration before now. Perhaps it is well that I did not do so, for the reason that the House very recently passed a bill on the same subject, which, while it follows the line of the Senate bill, enlarges it, and, in my judgment, it is a better bill than the one reported from the Senate committee. Two or three days

ago I was authorized to make a favorable report on the House bill. I have withheld it for the purpose of making a little further investigation along the lines that the President calls attention to, and that is the possibility of dealing with the corporations which have already received charters.

The President suggests that they are probably organized for the purpose of selling stock. Beyond a doubt that is so, but it is also very likely that they are created for the purpose of selling the charters, the promoters going out from the District of Columbia to the several States and saying, "Here is a corporation chartered by Congress," and selling the charter for a comparatively small amount of money, and in that way making a profit. It costs, I think, under the code, only about \$1 to get a company incorporated. When the aggregate of their capitalization had reached \$3,000,000,000, the District of Columbia had received only about \$2,200 in fees. The whole thing is a scandal—nothing less than that—and it ought to be torn up by the roots.

Now, Mr. President, it occurs to me that there may be some difficulty, and I speak as a layman, about dealing with the companies that are already chartered; but I have consulted with some distinguished lawyers, and they think there is a remedy. For the purpose of endeavoring to find that remedy I have withheld the bill, which I will continue to withhold until the matter has been taken up with a view of amending it so as to reach the fraudulent companies that have already been incorporated and deal not only with the future incorporations, which the bill does, of companies of that kind, but likewise, if possible, deal with those that have already been incorporated, and in some way, if it is a possible thing to do it, arrest them in their career.

I simply wanted to say this, Mr. President, to show the Senate and also the Chief Executive that Congress has not been unmindful of this matter. Personally, I am very glad the President has called our attention to it. It emphasizes it; and I feel sure that in the near future we will have some wholesome legislation on this subject.

Mr. WARREN. Before the Senator takes his seat, may I ask him a question? I understand that the whole ground has been gone over in the bills to which the Senator has referred, one of which has been reported and is now on the Calendar of the Senate. Perhaps he can tell us whether his committee proposes, among other remedies, the assessment of a very considerable fee or tax against these companies?

Mr. GALLINGER. A very considerable tax.

Mr. WARREN. And thus bring some revenue to the District?

Mr. GALLINGER. A very large revenue to the District. The bill which I have in my hand, which has passed the House, and which I am authorized to report favorably, requires that all the stock shall be subscribed in good faith, and 10 per cent actually paid in before the charter shall be granted. Under the code it is not necessary to pay in anything. The Senate bill, now on the Calendar, also contains the same provision.

Mr. WARREN. I wish to suggest to the consideration of the very able chairman of the Committee on the District of Columbia that the fees might be based upon the amount of capital and increased in the percentage on each dollar as the amount of capital stock increases, so that a very large authorization or issue of capital stock would be obliged to pay a very large fee—larger in proportion and percentage for a large issue than for a small one, so that overcapitalization would be checked.

Mr. GALLINGER. That is precisely what both the Senate bill and the House bill aim to accomplish.

Mr. WARREN. I am very glad to hear it.

The PRESIDENT pro tempore. The message will be printed and referred to the Committee on the District of Columbia.

EXTENSION OF TIME TO HOMESTEAD SETTLERS.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. 5799) to provide for the extension of time within which homestead settlers may establish their residence upon certain lands which were heretofore a part of the Rosebud Indian Reservation within the limits of Gregory County, S. Dak.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which had been reported from the Committee on Public Lands with an amendment, in section 1, page 1, line 9, after the word "approved," to insert:

April 23, 1904, and the homestead settlers on the lands which were heretofore a part of the Devils Lake Indian Reservation, in the State of North Dakota, opened under an act entitled "An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect," approved April 27, 1904.

So as to make the section read:

That the homestead settlers on the lands which were heretofore a part of the Rosebud Indian Reservation within the limits of Gregory

County, S. Dak., opened under an act entitled "An act to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect," approved April 23, 1904, and the homestead settlers on the lands which were heretofore a part of the Devils Lake Indian Reservation, in the State of North Dakota, opened under an act entitled "An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect," approved April 27, 1904, be, and they are hereby, granted an extension of time in which to establish their residence upon the lands so opened and filed upon until the 1st day of May, A. D. 1905: *Provided, however*, That this act shall in no manner affect the regularity or validity of such filings, or any of them, so made by the said settlers on the lands aforesaid; and it is only intended hereby to extend the time for the establishment of such residence as herein provided, and the provisions of said acts are in no other manner to be affected or modified.

The amendment was agreed to.

Mr. GORMAN. Mr. President, section 2 is entirely unnecessary, and as this is a Senate bill I move to strike it out.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maryland will be stated.

The SECRETARY. It is proposed to strike out section 2, in the following words:

SEC. 2. That this act shall take effect and be in force from and after its passage and approval.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. GAMBLE, the title was amended so as to read: "A bill to provide for the extension of time within which homestead settlers may establish their residence upon certain lands which were heretofore a part of the Rosebud Indian Reservation within the limits of Gregory County, S. Dak., and upon certain lands which were heretofore a part of the Devils Lake Indian Reservation, in the State of North Dakota."

REVENUE CUTTER FOR HARBOR OF SAN FRANCISCO.

Mr. PERKINS. I ask unanimous consent for the present consideration of the bill (S. 6761) making an appropriation and providing for the construction of a United States revenue cutter for service in the harbor of San Francisco, Cal.

There being no objection, the Senate, as in the Committee of the Whole, proceeded to consider the bill.

It authorizes the Secretary of the Treasury to have constructed a revenue cutter for service in the harbor of San Francisco, Cal., at a cost not to exceed \$75,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF COPYRIGHT LAW.

Mr. PLATT of Connecticut. The bill (S. 2229) to amend section 4952 of the Revised Statutes was heretofore passed over on the Calendar without prejudice. There has since been a House bill passed on the same subject. It is the bill (H. R. 6487) to amend section 4952 of the Revised Statutes. I ask unanimous consent that the House bill may be now taken up and considered in lieu of the Senate bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6487) to amend section 4952 of the Revised Statutes. It proposes to amend section 4952 of the Revised Statutes so as to read as follows:

SEC. 4952. The author, inventor, designer, or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph, or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models or designs intended to be perfected as works of the fine arts, and the executors, administrators, or assigns of any such person shall, upon complying with the provisions of this chapter, have the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing, and vending the same; and, in the case of a dramatic composition, of publicly performing or representing it, or causing it to be performed or represented by others. And authors or their assigns shall have exclusive right to dramatize or translate any of their works for which copyright shall have been obtained under the laws of the United States.

Whenever the author or proprietor of a book in a foreign language, which shall be published in a foreign country before the day of publication in this country, or his executors, administrators, or assigns, shall, within twelve months after the first publication of such book in a foreign country, obtain a copyright for a translation of such book in the English language, which shall be the first copyright in this country for a translation of such book, he and they shall have, during the term of such copyright, the sole liberty of printing, reprinting, publishing, vending, translating, and dramatizing the said book, and, in the case of a dramatic composition, of publicly performing the same, or of causing it to be performed or represented by others: *Provided*, That this act shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on the same basis as is given to its citizens by this act.

Mr. GORMAN. I ask that the report on the bill may be read, Mr. President.

Mr. PLATT of Connecticut. I think, Mr. President, if it will be satisfactory to the Senator from Maryland, I can make a statement of what the bill provides.

Mr. GORMAN. That will be entirely satisfactory.

Mr. PLATT of Connecticut. Mr. President, under the present law it is really impossible to procure copyright for the translation of a book in a foreign language because our law requires that before the date of the publication of the book abroad two copies shall be printed from type set up in the United States and deposited with the Librarian of Congress. This does not provide for the copyrighting of the book in the foreign language, but it does provide that the author or proprietor of the book in the foreign language shall have a year within which to make a translation of the book, and if no translation has been made or copyright in the United States during that year he shall have the copyright of the translation. If it had been pirated and a translation made by another party and copyrighted, that would cut out the author; but if that has not been done the author may at any time within the year translate his book, or have his book translated and printed, and then copyright the translation.

Mr. BACON. Mr. President, if the Senator will pardon me, right on that point I wish to say that I was struck by the reading of the bill. I do not think the statement of the Senator entirely agrees with the text of the bill. The inquiry which arose in my mind was this: Whether in the case of a foreign publication which had been copyrighted in a foreign country and which had thereupon been translated and published in this country without being copyrighted and the author should thereafter attempt to copyright he would have the right so to do. I understood the Senator to say that that would be the effect, but certainly such is not the reading of the bill, as I understand it.

Mr. PLATT of Connecticut. I have not the bill before me, but if the Senator will read the bill he will find that if that is the first copyrighted translation, then the author will have the right to the copyright.

Mr. BACON. I did not understand the Senator. I could not catch what he said.

Mr. PLATT of Connecticut. If the Senator has the bill in his hand, will he read the provision stating that if that is the first copyrighted translation he shall obtain the copyright?

Mr. BACON. But it does not provide that if the book has been previously translated in this country he shall in that event lose the right of copyright.

Mr. PLATT of Connecticut. He could not get a copyright if the book had been once copyrighted.

Mr. BACON. Let me read to the Senator from the bill, beginning at line 9 on page 2:

Whenever the author or proprietor of a book in a foreign language, which shall be published in a foreign country before the day of publication in this country, or his executors, administrators, or assigns, shall, within twelve months after the first publication of such book in a foreign country, obtain a copyright for a translation of such book in the English language, which shall be the first copyright in this country for a translation of such book, he and they shall have, during the term of such copyright, the sole liberty of printing, etc.

The point to which I ask the Senator's attention—I confess I am not familiar with the subject and ask for information more than for the purpose of suggesting any argument or opposition—is this: What would be the effect, under this proposed law, if, after this book had been published and copyrighted in a foreign country, some enterprising individual should publish it in this country and not copyright it before the expiration of twelve months? That does not seem to be a contingency provided for in this bill.

Mr. PLATT of Connecticut. Well, Mr. President, I do not think it is necessary to provide for it. If a man before the twelve months expires translates the book and copyrights it—

Mr. BACON. No; he does not copyright it at all.

Mr. PLATT of Connecticut. If he does not copyright it, but publishes it, he does it with the notice in this statute that a copyrighted translation may be applied for, and he does it taking the chances. I do not think there is any necessity of making provision as to the point the Senator suggests.

Mr. BACON. I am only asking the Senator for information. Under the present copyright law, if it should be amended as proposed, in case one who had thus translated and published in this country without taking copyright, what would be the effect upon his property in the work which he had thus already translated and published?

Mr. PLATT of Connecticut. He could not sell it after the new copyright was obtained by the author or proprietor of the book.

Mr. BACON. That being the case, I wish to ask the Senator if he does not think that is rather a serious proposition?

Mr. PLATT of Connecticut. No; I do not. I do not think, this proposed law being passed, and notice given thereby, that the copyright may be applied for by the author for the translation within twelve months, that the man who comes in and publishes the book without the permission of the author or without—well, I do not want to use a harsh phrase—but appropriating something that really belongs to somebody else, would have any cause to complain if the copyright was granted and thereby the sale of his unauthorized translation had to cease.

Mr. BACON. I think the Senator would be entirely correct if it could be certainly known that the author was going to apply for a copyright.

I do not wish to be understood as antagonizing this bill in any way, because I favor the protection of the rights of foreign authors in this country. I think intellectual work should have its due reward.

Mr. PLATT of Connecticut. I wish to say one thing more in regard to this bill. We now have an international convention for the protection of copyright property. We may reserve in other countries the right to translate and copyright, but that right is not reserved in this country, and a great deal of trouble has sprung up, notably with Germany, which threatens to withdraw from the international convention for the protection of copyright property if something of this sort is not done.

Mr. LODGE. Mr. President—

Mr. BACON. If the Senator from Massachusetts will pardon me before he begins, I wish to say this: My suggestion is not due in any manner to any disposition to antagonize a bill of this kind. My sole idea was to avoid anything that might seem to be harshness to publishers in this country, who, without knowledge of the fact that it was the intention of the foreign author to take out a copyright here, may go forward in good faith and translate and publish the book. It would be pretty hard on them to have all their property confiscated.

Mr. PLATT of Connecticut. Does not the Senator think if this law is passed it will be notice to everyone that there may be within a year—

Mr. BACON. That they should wait for twelve months?

Mr. PLATT of Connecticut. That there may be within a year an application for a copyright?

Mr. BACON. It may be.

Mr. LODGE. A foreign author in a foreign language now has the right to copyright in this country, and he can give notice, if this bill passes, that he reserves the right to translate and copyright. Of course that would be ample notice to any one not to translate.

I hope the bill will go through. It is a most useful and important measure. We are receiving benefits under the copyright laws of other countries and under the international convention which we are not extending to others; and if we do not extend a similar privilege to the foreign author, we are very likely to have it withdrawn from us in Germany and France. This bill simply gives an opportunity to the author in a foreign language to get the benefit of his work, which he does not get in this country now. The English author gets it, but the French or German author does not get it. It is simply granting to him what those countries already grant to us.

Mr. BACON. Will the Senator from Massachusetts repeat what he said as to the provision which authorizes certain notice to be given by a foreign author?

Mr. LODGE. I mean that it would be as we do now in foreign countries. We copyright the book, with the right of translation reserved, and under this proposed act he would have the right to reserve the right of translation for one year.

Mr. BACON. I will ask the Senator if he does not think it would be well to insert a provision in this bill which should protect his right for the twelve months, provided he did copyright and give notice?

Mr. LODGE. That is what the bill does.

Mr. BACON. This bill does that?

Mr. LODGE. Yes.

Mr. BACON. It authorizes him to deposit the foreign edition in this country and give notice of his intention to copyright?

Mr. LODGE. That, as I understand it, is the exact purpose of the bill.

Mr. BACON. I do not think that is in this bill, and I will say to the Senator that if there should be inserted in the bill such a provision it would meet all the objections I have to it.

Mr. LODGE. The French or German author, as I understand, can now copyright in the original under our international copyright act.

Mr. PLATT of Connecticut. Provided the type is set in this country.

Mr. LODGE. Provided the type is set in this country.

Mr. BACON. Yes.

Mr. LODGE. He can copyright it in the original now, but this gives him the right for one year to copyright the translation. That is the whole purpose of this bill.

Mr. BACON. Without myself offering any amendment, which I shall not do, I will ask the friends of the bill if they do not think it would be well to incorporate in the bill a provision that the right here conferred shall be enjoyed by those who file in this country, without the necessity of the type being set here, copies of the work, with notice of intention to translate?

I will state that the only object of such a provision would be to protect domestic publishers who might in good faith go forward, in the case of a work a translation of which was desired, and translate it and invest their money in the publication of it, and who before the expiration of twelve months might, if the foreign author should make the determination to take advantage of this bill, be subjected to the entire loss of their property.

It seems to me an author who intends to take advantage of this bill would certainly be willing to file in this country, in the Library, for instance, a copy of his book, with a notice of intention to translate and take out a copyright. That would avoid the necessity of the type being set in this country, and at the same time would protect the innocent publisher from loss which might otherwise be inflicted upon him.

Mr. LODGE. The Senator would suggest that he should simply give notice?

Mr. BACON. If he gives the notice, I think it would be sufficient.

Mr. LODGE. Yes.

Mr. BACON. Something ought to be done to protect a publisher who goes forward in ignorance of the fact that the foreign author intends to apply for a copyright and translates and publishes the work. Something ought to be done for his protection, it seems to me. At least there ought to be notice given by the foreign author of his intention.

Mr. PLATT of Connecticut. Let the bill go over.

Mr. LODGE. I think a very simple amendment will cover the point suggested.

Mr. BACON. I shall be very glad to see that done, and shall have no objection to the bill with such a provision in it.

The PRESIDING OFFICER. The bill will go over without prejudice.

DAVID V. HOWELL.

Mr. PLATT of New York. I ask unanimous consent for the present consideration of the bill (H. R. 3619) for the relief of David V. Howell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to repay to David V. Howell, of Monroe, Orange County, N. Y., \$1,742, being a part of the penalties assessed against him for his alleged failure to complete in time certain contracts for work done at Bridgeport Harbor, Connecticut, light-house; Plum Island, New York, light-house, and at Point Comfort, New Jersey, light station.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ACQUISITION OF IRRIGABLE LANDS.

Mr. FULTON. I ask unanimous consent for the present consideration of the bill (S. 6406) providing for the purchase and condemnation of irrigable lands in certain cases.

The PRESIDING OFFICER. The Senator from Oregon asks for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill.

Mr. PETTUS. I should like to be informed if this bill does not contemplate that the Secretary of the Interior shall be the judge as to whether the lands shall be condemned or not? The bill goes to the extent of authorizing the Secretary of the Interior, without any other authority, to institute proceedings for condemning lands which he thinks ought to be condemned.

Mr. FULTON. Where he thinks it is necessary. I do not know how else it should be determined whether or not the condemnation should be undertaken unless it be left to him. Of course, the condemnation proceedings will have to be prosecuted in court.

Mr. PETTUS. You propose to give the Secretary of the Interior authority to determine that certain lands ought to be condemned and to institute proceedings for that purpose?

Mr. FULTON. Yes. He is to direct the Department of Justice to institute the proceedings.

Mr. PETTUS. I think a bill of that sort ought to be open to more debate than we can have now.

Mr. FULTON. Does the Senator from Alabama object?

The PRESIDING OFFICER. The Senator from Alabama objects.

Mr. FULTON. Will the Senator allow me to explain it? I do not care to take up the time unless it is possible to convince him.

It is an important bill, and I wish the Senator would let it go through. It is a bill which has been asked for by the Department, and without this several very important irrigation projects will be held up and can not be prosecuted.

For instance, I will tell the Senator of just one that I know of in my own State; and I am told by other Senators that the same conditions prevail in theirs.

There is a large holding of land within the district that is proposed to be reclaimed, owned by a wagon-road land-grant company. The company declines to allow its lands to participate in the scheme. The result is, if the lands can not be condemned and brought in, this great territory, much of which is held in small holdings by individual proprietors, and some of it held by the Government, is prevented from being reclaimed. This is the only way it can be reached. The Department prepared the bill, and the committee has unanimously reported it favorably. I make this explanation in the hope that the Senator will let the bill go through.

The PRESIDING OFFICER. Objection being made, the bill will go over under the rule. The Secretary will state the first case on the Calendar under Rule VIII.

INDIAN DEPREDAATION CLAIMS.

The bill (S. 275) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, was announced as the first business in order on the Calendar, and was read.

Mr. PLATT of Connecticut. I see the report on this bill states that there is involved in this measure from three to five million dollars. I do not think such a bill ought to pass without some explanation.

The PRESIDING OFFICER. Objection being made, the bill will go over under the rule.

DISPOSITION OF CERTAIN IRRIGABLE LANDS.

Mr. BARD. I ask unanimous consent for the present consideration of the bill (S. 6613) providing for the disposal of lands acquired under the provisions of the reclamation act.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Irrigation and Reclamation of Arid Lands with an amendment, in section 1, page 2, line 3, after the word "units," to insert "not less than 10 nor more than 160 acres;" in line 4, after the word "which," to insert "may;" and in line 5, after the word "subdivisions," to strike out "of" and insert "into;" so as to make the section read:

That any lands ceded to the United States, or acquired by purchase under the provisions of the reclamation act of June 17, 1902, or in any other manner, for utilization under the provisions of said act, which are susceptible of irrigation by means of works constructed under the provisions of said act, shall be disposed of subject to all the provisions, limitations, charges, terms, and conditions of the said reclamation act. Any such lands which are unsurveyed may be surveyed and subdivided in the same manner as other public lands; and the Secretary of the Interior may, in the disposition of such lands, as well as of all other lands irrigable under said act, provide for farm units not less than 10 nor more than 160 acres, which may contain subdivisions into 10-acre tracts conforming to the public land survey system.

Mr. BARD. In order to meet some objections which have been made to the bill, I move to strike out all after the word "lands," in line 1, on page 2, down to the end of the bill.

The PRESIDING OFFICER. The amendment proposed by the Senator from California to the amendment will be stated.

The SECRETARY. It is proposed, beginning in line 1, on page 2, section 1, after the word "lands," to strike out the remainder of the bill.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. TELLER. I do not like to object to the bill, but I want to know what it is before I consent that it go through. It was utterly impossible to hear the bill read.

The PRESIDING OFFICER. Does the Senator from Colorado desire to have the bill read again?

Mr. TELLER. I should like to have the bill read again.

The PRESIDING OFFICER. The Secretary will read the bill as amended.

Mr. BARD. I call the attention of the Senator from Colorado to the fact that I have moved to strike out all that portion of the bill against which some objections have been made. So only a portion of section 1 will remain.

Mr. STEWART. Let that be read.

Mr. TELLER. I have not looked at this bill. It seems to me it is a subject of unusual importance. I do not know how much land it affects, or in what section of the country such land is. But it is a very important bill.

The PRESIDING OFFICER. The bill as amended by the committee will be read at the request of the Senator from Colorado.

Mr. TELLER. Is there a report accompanying the bill?

The PRESIDING OFFICER. There is.

Mr. TELLER. I should first like to have the bill read.

The PRESIDING OFFICER. The Secretary will read the bill as amended.

The Secretary read the bill as amended, as follows:

Be it enacted, etc., That any lands ceded to the United States, or acquired by purchase under the provisions of the reclamation act of June 17, 1902, or in any other manner, for utilization under the provisions of said act, which are susceptible of irrigation by means of works constructed under the provisions of said act, shall be disposed of subject to all the provisions, limitations, charges, terms, and conditions of the said reclamation act. Any such lands which are unsurveyed may be surveyed and subdivided in the same manner as other public lands.

Mr. FULTON. Mr. President, I am a member of the Committee on Irrigation and Reclamation of Public Lands, and I was present when this bill was considered. I will explain to the Senator from Colorado what the purpose of it is.

In carrying forward the scheme of reclamation by irrigation it becomes necessary and has become necessary in several instances, or, at least, in some instances, to drain large lakes or other bodies of water, and the question has arisen as to who those lands will belong to after they are reclaimed. Steps have been taken in two instances that I know of, one in the State of California and another in Oregon, to have the legislatures of the States cede the land, the beds of those lakes, to the United States.

Now, this bill authorizes the Government, when it acquires these lands, whether it secures them by cession, condemnation, or otherwise, to sell the lands so acquired in the same manner that provision is made for the sale of lands generally under the irrigation act. While the States might cede the beds of the lakes, there would be no provision for the sale of the land—at least that was thought to be the condition. Therefore the Irrigation Bureau, or those having the matters in charge, thought it necessary to secure some legislation of this character. It authorizes the sale of the land when acquired. That, I understand, is the purpose of the bill.

Mr. TELLER. Is section 2 left in the bill?

Mr. BARD. No, sir.

Mr. FULTON. It is stricken out.

Mr. TELLER. I do not believe this bill, without further amendment, will do the work that the Senator from Oregon thinks it will, and I shall object to it for the present.

The PRESIDING OFFICER. The bill will go over under the rule, objection being made.

APPEALS, ETC., FROM DISTRICT COURT OF ALASKA.

The bill (S. 3843) providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington was considered as in Committee of the Whole.

The bill was reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That hereafter all appeals, writs of error, and other cases coming from the district court for the district of Alaska to the circuit court of appeals for the ninth circuit shall be entered upon the docket at Seattle, in the State of Washington, and shall be heard there: *Provided, however,* That at any time before the hearing of any appeal, writ of error, or other case the parties thereto, through their respective attorneys, may stipulate that the same shall be heard in the circuit court of appeals for the ninth circuit, at Portland, in the State of Oregon, or at San Francisco, in the State of California, in which case the case shall be remitted to and entered upon the docket at the place so stipulated, and shall be heard there.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. PLATT of Connecticut. My attention was diverted for the moment. I ask that the bill be again read.

The PRESIDING OFFICER. The bill as amended will be read.

The Secretary read the bill as amended.

Mr. BACON. Is there a report accompanying the bill?

The PRESIDING OFFICER. There is; Report No. 2148.

Mr. BACON. I ask that it may be read.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read the report submitted by Mr. MITCHELL from the Committee on the Judiciary April 14, 1904, as follows:

Your committee, to whom was referred the bill (S. 3843) entitled "A bill providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington," having had the same under consideration, beg to submit the following report:

The bill is brief and provides as follows:

"That all appeals and writs of error from the district courts of the

district of Alaska shall be heard and determined in the circuit court of appeals for the ninth circuit in the State of Washington, at the terms of said court held in the State of Washington, unless the parties stipulate that such appeal or writ of error may be heard at some other place in the said ninth circuit in compliance with the rules of said court."

Rule 36 of the circuit court of appeals for the ninth circuit provides as follows:

"Appeals and writs of error from the district courts of Alaska may, upon stipulation of the parties thereto, be heard at the annual terms to be held either at Seattle or Portland."

It is thought that this provision is the reverse of what it should be, and the proposed act provides for the hearing of such cases at Seattle, but permits them to be heard elsewhere by stipulation. Seattle is the city from which people leave when going to Alaska, and at which they first arrive on returning therefrom. The bulk of the Alaskan business is done in Seattle, and it is there that most of the people of Alaska have their regular business and legal connections. As the law, as it exists to-day, provides for the holding of a term of the circuit court of appeals in Seattle each year, it seems to your committee no good reason can be assigned why Alaskan cases should not be heard at Seattle in preference to San Francisco. Seattle is nearer to the people of Alaska by 1,000 miles than is San Francisco, and it is quite a hardship upon the Alaskans to compel them to go an additional 1,000 miles to have their appeals heard, when the same might just as readily be heard in Seattle. The passage of the proposed bill will make it less expensive for the United States and other litigants in Alaska.

Your committee, however, is of the opinion that the bill should be in the following form, which is reported as a substitute for bill S. 3843. Strike out all after the enacting clause and insert in lieu thereof the following:

"Hereafter all appeals, writs of error, and other cases coming from the district court for the district of Alaska to the circuit court of appeals for the ninth circuit shall be entered upon the docket at Seattle, in the State of Washington, and shall be heard there: *Provided, however,* That at any time before the hearing of any appeal, writ of error, or other case the parties thereto, through their respective attorneys, may stipulate that the same shall be heard in the circuit court of appeals for the ninth circuit at Portland, in the State of Oregon, or at San Francisco, in the State of California, in which case the case shall be remitted to and entered upon the docket at the place so stipulated, and shall be heard there."

Your committee therefore recommend the passage of the above substitute for bill S. 3843.

Mr. BACON. I presume, Mr. President, that the bill had the careful consideration of the committee. I find upon conference with the chairman of the committee that it is really an amendment of the existing law, and it probably may be of advantage in the dispatch of the public business and the business of litigants.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF DANIEL M'DONOUGH.

The bill (S. 1492) for the relief of the widow and children of Daniel McDonough, deceased, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to the widow and children of Daniel McDonough, deceased, as full compensation for the death of the said Daniel McDonough, deceased.

Mr. KEAN. Let us have the report read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. ALLEE April 15, 1904, as follows:

The Committee on Claims, to whom was referred the bill (S. 1492) for the relief of the widow and children of Daniel McDonough, deceased, having considered the same, report it with an amendment, and as amended recommend that it be passed.

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to the widow and children of Daniel McDonough, deceased, as full compensation for the death of the said Daniel McDonough, deceased."

The facts upon which the action of the committee is based are as follows:

On the 31st of March, A. D. 1897, Daniel McDonough was employed by the United States Government, and was, on the above-mentioned day, one of a gang of riggers laboring on the Government work, Fort Mott, N. J. The riggers were engaged in lifting an engine from a boat alongside the wharf to the wharf at Fort Mott, and McDonough was standing near the derrick performing the work assigned to him by the gang foreman, when, without warning, one of the derrick stays gave way, and the falling derrick struck and crushed McDonough, causing his death.

It appears from all the evidence in the case that the said Daniel McDonough was acting with due care and caution, and that the accident was not due to any fault or negligence upon his part.

Mr. PLATT of Connecticut. This bill, as I have it on my Calendar, does not show any amendment. The report of the committee proposes an amendment. I would have no objection to the original bill, but if the amendment is to be pressed I must object and ask that the bill go over.

Mr. CULLOM. What does the original bill provide?

Mr. PLATT of Connecticut. The original bill provides that the case shall be sent to the Court of Claims to determine whether the Government was at fault, and if they find that the

Government was at fault and there was no contributory negligence on the part of McDonough, they are authorized to render judgment for not exceeding \$5,000. The amendment strikes out all there is about sending it to the Court of Claims and proposes to pay \$2,000; in other words, the question of governmental neglect is entirely eliminated. I think the Government ought not to be obliged to pay unless neglect on the part of the Government, or some one connected with it, is found. The bill as proposed to be amended provides for the payment of \$2,000 without ascertaining that fact.

Mr. CULLOM. There is a report in the case?

Mr. KEAN. It has been read.

Mr. PLATT of Connecticut. There is. It has just been read. The report says:

It appears from all the evidence in the case that the said Daniel McDonough was acting with due care and caution, and that the accident was not due to any fault or negligence upon his part.

The bill as originally presented sent the claim to the Court of Claims to find out whether the Government had been guilty of negligence. All that is eliminated and it is proposed to pay the heirs without ascertaining that there has been negligence on the part of the Government.

Mr. CULLOM. I think something ought to be done. If the Senator is satisfied with the original bill and that the substitute ought not to be passed, I hope that course will be taken, and we will pass the original bill.

Mr. PLATT of Connecticut. I am perfectly willing that the original bill shall pass.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment reported by the Committee on Claims.

Mr. CULLOM. Which is a substitute?

The PRESIDING OFFICER. It is a substitute.

Mr. CULLOM. Let us vote the amendment down and pass the bill in its original form.

Mr. PLATT of Connecticut. I hope the amendment will be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 15284. An act granting to the Keokuk and Hamilton Water Power Company rights to construct and maintain for the improvement of navigation and development of water power a dam across the Mississippi River; and

H. R. 17789. An act to amend an act entitled "An act to authorize W. Denny & Co. to bridge Dog River, in the State of Mississippi."

H. R. 14906. An act for the relief of H. B. Wise, was read twice by its title; and referred to the Committee on Military Affairs.

H. R. 18329. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1906, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

ARKANSAS RIVER BRIDGE AT VANBUREN, ARK.

The bill (H. R. 17784) to authorize the construction of a bridge across the Arkansas River at or near Vanburen, Ark., was read the first time by its title.

Mr. BERRY. A literal copy of that bill has been reported from the Committee on Commerce and is now on the Calendar. I ask unanimous consent that the House bill may be considered and passed.

There being no objection, the bill was read the second time at length and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BERRY. I move that Order of Business 3040 on the Calendar, being the bill (S. 6607) to authorize the construction of a bridge over the Arkansas River at or near Vanburen, Ark., be indefinitely postponed.

The motion was agreed to.

STATEHOOD BILL.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 17749.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 17749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the peo-

ple of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

Mr. TELLER. Mr. President, I wish to take the time of the Senate for only a very brief period on one phase of this statehood question, and beyond that I do not intend to go to-day, because I do not feel physically strong enough to do so. I do not care to take up the broad question of statehood, except to say in a general way that the proposition which has come here for two States out of territory which has been considered heretofore as four prospective States does not commend itself to my judgment, and later I mean to be heard on that branch of the question.

Mr. President, I want to address myself to one phase of it, which I expected to do about two weeks ago, when the senior Senator from Nevada [Mr. STEWART] presented some thoughts upon the present condition of the Indians in the Indian Territory. I realize that any discussion of this matter is not worth while. We have been discussing the bill ostensibly for something like three weeks. There have been a number of speeches made, indicating much research and much thought. They have been made, as a rule, to rarely ever more than ten or twelve Senators, and rarely more than half of those giving any attention to what was going on. I do not care myself to make a speech simply for the RECORD, nor do I care to make a speech to empty seats. I do not think it is worth while in this body to make speeches simply for the purpose of making a noise.

Mr. President, there are some things connected with the question of the admission of these States that require, I think, the thoughtful attention of this body. Many years ago we entered into certain obligations with the Indian tribes of certain States. These obligations are still existing, although by some system of refinement of argument and logic some Senators say they do not exist. But, Mr. President, they do exist; and while, perhaps, they have never been legally binding on the United States, and I do not know but that the United States could retire from them, they are binding on the honor and ought to be binding on the conscience of the American people. I know it is not possible for the Government of the United States either to enact a law or a treaty that may not be retired from under certain circumstances, and I am quite aware that sometimes things may happen, changes may occur, conditions may vary, so that the Government of the United States might lawfully and legally retire from an apparent legal and honorable obligation.

But, Mr. President, nothing of that kind has occurred here, and if we are to make some changes in our law that this proposition foreshadows, we are going to make them certainly without justification and, I think I may say, without excuse.

The Indian Territory, set apart seventy-odd years ago for the occupation of Indians, is a large and valuable Territory. It is about the size of the State of Indiana. I shall not disparage Indiana when I say that Indian Territory is richer by nature than the State of Indiana, and that it can sustain a population greater than the State of Indiana, unless the State of Indiana becomes a great manufacturing State; and if Indiana becomes a great manufacturing State there is not any particular reason to suppose that some day in the future the Indian Territory may not also become a manufacturing State. The agricultural capacities of the Indian Territory are superior to those of the State of Indiana, and I only mention the State of Indiana because that comes nearer to its size than almost any other State; and I may say that I am tempted to mention Indiana, perhaps, because the chairman of the Committee on Territories, who is pressing this bill so vigorously and so insistently, comes from that State.

Leaving out the question of Arizona and New Mexico, the proposition I wish to consider first, and the only one that, I believe, I shall feel myself able to discuss this afternoon, is the simple proposition to make a State out of the Territory of Oklahoma and the Indian Territory. I have heard something about the objections to the admission of Oklahoma as a State singly and alone, but Oklahoma is another section of the country that is rich in natural resources. It is capable of maintaining a population greater than very many of the agricultural States have now, greater than a dozen States that are in the Union ever will be able to maintain.

I do not know what the population of Oklahoma is, but I know it is very large. I know it is composed of people from every portion of the United States. I have not been within that Territory for a number of years, but I know that at least ten years ago they had a population energetic and alive, such a population as can create and maintain a State first class in everything that goes to make a State. They do not need any more territory than Oklahoma itself has to make a State large enough

to support a great population and large enough to take their place in the Union as one of the States.

I know that there are sometimes political considerations which enter into the discussion. Sometimes you will hear it said if you admit such a Territory it will be Democratic, or if you admit such a Territory it will be Republican. Mr. President, I want to disclaim now for myself any bias in the direction of politics. If I knew that every one of these four Territories would make radical Republican States, I should vote for their admission, because I believe they are entitled to it, and I should vote for it just as quickly if I knew they would make Democratic States. I should feel myself degraded if when citizens of the United States come here and make a demand that they have a right to make, and when they have presented every proper consideration to show they are entitled to admission into the Union, I should let for a moment my bias in favor of a political party make the shadow of turning or changing in my treatment of that community.

I do not know, but I suppose when Oklahoma is admitted it will undoubtedly be a Republican State, judging from the vote that it has cast for several years past. Mr. President, I want to have an opportunity to vote for the admission of Oklahoma. I should have been glad for some years, for ten years at least, to have voted for her admission into the Union, not because she is going to be a Republican State, but because she will be a proper State and will send here in time proper representatives for seats in this body and in the other House. I know the people of that community are made up of people from every section and part of the United States. It is probably as cosmopolitan a community as there is on the continent. That, however, may be said practically of all our Western States. Oklahoma, having a population of its own big enough to be a State, having an area big enough to make a great State, having everything that will go to make a State, if it should be admitted tomorrow it may be said that there have been very few States admitted as well qualified financially, morally, and in every other way to make a State as the State of Oklahoma.

Why, Mr. President, should you put on Oklahoma an additional area? The junior Senator from North Dakota [Mr. McCUMBER] the other day made a speech wonderfully clear in its statements, thoroughly supporting by evidence every assertion he made, in which he demonstrated, I think, beyond any possibility of question, that Oklahoma ought to be a State by itself. Notwithstanding that, it is proposed to add to it very nearly an equal area of adjoining territory.

Mr. President, if the Government of the United States had no obligations outstanding; if it were a mere question of whether the proposed State should contain an area of 35,000 square miles or 66,000 square miles, or something like that, I do not know that I should for any considerable length of time insist that the people of Indian Territory might not be for all practical purposes incorporated with those of Oklahoma. But a different condition of affairs exists in the Indian Territory from what exists anywhere else in the United States. As I stated, seventy years ago the Government took upon itself obligations which I think it can not lightly put aside. I think it has not been able to do that, and has not done it by any means, although there has been within the last few years some very wonderfully and, I may say, fearfully made legislation concerning that section of the United States. We pledged to those people that at no time, without their consent, should they be incorporated into any government save one of their own. It is said that when they took land in severalty that statutory pledge was repealed. I do not think so, as a question of law; but if it were, as a question of law, repealed, the moral obligation which the Government took upon itself seventy years ago exists to-day with the same force as it existed the next day after the bill was signed.

Mr. PLATT of Connecticut. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. TELLER. I do.

Mr. PLATT of Connecticut. I wish to ask the Senator was not the guaranty of the United States contained in that provision part of the whole agreement that we should not allow white people to go into that Territory? Now that the white people are there by consent of the Indians, by invitation of the Indians, does that portion of the treaty any longer hold good?

Mr. TELLER. Oh, Mr. President—

Mr. PLATT of Connecticut. Was it not the guaranty that that country would be left for the Indians exclusively; that they were to occupy it by themselves alone—that is what they desired—and that being the case, it should not be attached to any other State or Territory? I simply made the inquiry in order to obtain the Senator's view of the matter.

Mr. TELLER. There were two things which we stipulated.

First, that we would not allow the white people to go in there, and that that country should be reserved for the Indians. That had no relation whatever to the other stipulation that the Indians should have a government such as the Indians themselves desired, and not such as we might desire.

Mr. President, there are inside the Indian Territory a large number of white people—many thousands of them. The Senator says they went in by permission of the Indians. They went there because the pressure was so great that the Indians could not resist it. That is the fact, although the Senator from Connecticut shakes his head, which indicates that he means to deny it.

Mr. PLATT of Connecticut. Does not the Senator think that there is a little more than that—that the Indians wanted white people to come there, invited them to come, and rented land to them for the purpose of getting them there?

Mr. TELLER. Mr. President, a small percentage of the Indians undoubtedly wanted those white people there—the managing Indians—and we opened the door and made it possible for a few of those Indians to practically invite those white people in, but the nation as a nation never invited them in, and up to this hour do not want them there.

Mr. PLATT of Connecticut. But did not the Indian legislature pass laws for the renting of land to white people?

Mr. TELLER. The Indians provided for the renting of land undoubtedly, but that was after the white people had forced themselves in there, when it was better for the Indians that there should be some regulation of their occupation of the land.

Mr. PLATT of Connecticut. And that permits should be granted and payments should be made to the governments themselves by the persons who obtained the permits.

Mr. TELLER. Mr. President, I admit that the Indians passed some laws of that kind, but I deny that, in the first place, the body of the Indians desired the great immigration of white people into that country. But if those people came on the invitation of the Indian authorities, nevertheless that leaves us still bound by the obligation that we made with the Indians that they should have a government of their own. Not only did we agree that we would keep white people out—which we have not done—but we also agreed that they should have a government of their own, which at the present time they have, but we are now about to destroy that government.

Mr. NELSON. Will the Senator yield to me for a minute?

Mr. TELLER. Certainly.

Mr. NELSON. I want to call the attention of the Senator to one fact in connection with this matter, and that is that under recent legislation, and treaties entered into with the Indians in pursuance thereof, they have agreed that all their tribal governments shall cease by the 4th of March, 1906; they have practically given up their old governments and have submitted to the taking of allotments. Now, if the Senator's theory is correct, it would involve the rehabilitation in some form of the tribal governments, which the Indians have themselves agreed to dismantle and abandon.

Mr. TELLER. Mr. President, whatever the Indians may have done under the pressure which has been brought to bear on them by this great Government of ours, I shall discuss for a little while what will be their condition when this legislation, proposed and so ardently prosecuted by the Senator from Minnesota and some of his colleagues, at least in this Chamber, is enacted.

Mr. NELSON. Mr. President, I want to say to the Senator from Colorado that I have had nothing at all to do with securing the legislation which led to the treaties by which the Indians have agreed to abandon their tribal governments. It is possible that when those bills were pending here I may have voted for them, but I was neither on the committee which reported them nor had I anything special to do with that subject.

Mr. TELLER. Nor had I anything to do with it. Yet I can not but feel that there has been some very unwise legislation enacted affecting the Indians.

But, Mr. President, I was coming to another proposition. We entered into an obligation with these Indians that at all times we would keep from this Territory the sale or giving away or the introduction of spirituous liquors. You are about to take a step, Mr. President, that will make it impossible to keep faith in that particular. I do not know whether the Senators who favor the admission of these proposed States have heard from the American people, but I have, Mr. President; and I have heard enough to convince me that even in these days of commercialism, in these days of partisanship, and in these days of greed and avarice there is a large and respectable element in American society which believes that the Government of the United States should maintain that provision of its agreement, and who are not ready now, nor will they be

ready when these Territories become States—if they do—to condone the action of the United States, whether of to-day or yesterday, that shall make it possible to introduce into that community the unrestrained and unlimited use of intoxicating drinks.

Mr. President, a few years ago—probably it was twenty years ago—I heard in this Senate a Senator from one of the Western States say that if we continued there the system we were then entering upon in twenty-five years he believed it doubtful whether there would be a real Indian alive on the continent.

Mr. CULLOM. Will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Illinois?

Mr. TELLER. Certainly.

Mr. CULLOM. The Senator from Colorado is speaking back a little, and I wish to ask a question for the purpose of understanding his position. I have just come into the Chamber, and as I understood his remarks he is stating his objection to any action that would result in allowing intoxicating liquor to be sold to the Indians. Is that the point the Senator is making?

Mr. TELLER. That is the point I am making.

Mr. CULLOM. I should like the Senator, for my information, to state to the Senate how he proposes to prevent that. Supposing that we should agree to admit that Territory as a State, what would the Senator insert in the bill which would prevent the sale of intoxicating liquors therein?

Mr. TELLER. So far as I am concerned, I have myself made no proposition to admit the Indian Territory as a State along with Oklahoma.

Mr. CULLOM. But there is a bill here proposing to admit Oklahoma and Indian Territory as one State.

Mr. TELLER. But that is not my bill.

Mr. CULLOM. I understand that.

Mr. TELLER. I will never give it my support.

Mr. CULLOM. I know that; but I should like to have the Senator's view, if he is willing to give it, as to just what course should be taken, if the two Territories are admitted as one State, to prohibit the sale of intoxicating liquor in the Indian Territory or in the whole State when admitted.

Mr. TELLER. If this bill is to pass attaching Indian Territory to Oklahoma and making citizens of those people, it is not in the power of anybody but the Deity to protect them against the sale and use of intoxicating liquors, unless the people of that section of the country determine to do that themselves, and the Senator knows, as I know, that no community in the West, or in the East, for that matter, is ready and willing to do that.

Mr. BEVERIDGE. May I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. TELLER. Certainly.

Mr. BEVERIDGE. I wish to ask the Senator, if we make provision, such as we do make in this bill, that it shall be a part of the constitution to be adopted by the new State that no intoxicating liquor shall be sold at all, either to Indians or to whites within the region where the Indians live, whether that would not keep it out as effectually as it can be kept out?

Mr. TELLER. That may keep it out as effectually as it can be kept out, but that is an anomaly, that is something unheard of in legislation, to propose that the State shall provide in its constitution that one portion of the State shall have one constitutional provision in force and that another portion shall have another. You must treat the people of the proposed State as a whole, and not as part Indian and part white. If, as the Senator from Minnesota [Mr. NELSON] says, we have provided by our legislation that in 1906 the tribal relation shall cease and every Indian shall become a citizen of the United States, then it will be beyond the power of this Government to maintain any control of the Indians, unless it keeps them inside of a Territory and not a State. In a Territory Congress can prohibit the introduction of liquor; it has the power to do so, but inside of a State it has not that power.

I do not believe that a constitution can be framed that will give to the people of one section of a State rights that are denied to the people of another section of the same State. A provision put into the constitution of a State declaring that no liquor shall be sold in the State might be effective perhaps for a while, but the constitution of every State in the American Union must be changed whenever the people of that State determine that it ought to be changed.

Mr. President, I know something of the Indian. I was born near an Indian reservation in the State of New York, and I have known something of the Indian ever since I can remember. My earliest recollection is of the Indian. By virtue of a position I held I have been brought in contact with their manage-

ment, and I know what every man here knows, that there never was an Indian born on this continent who, left alone, would not take to strong drink if he had an opportunity. It has been the curse of the Indian tribes, as it has been the curse of all wild people all over the world. We knew this in 1825, in 1831, in 1832, and in 1833, and the Indian knew it. The provisions inserted in the statutes of those days relating to the Indians were inserted at the request and on the demand of the Indians themselves. They foresaw that the vices of the white man in that direction would be the ultimate destruction of their race. I predict here that if you remove the restriction and limitation put upon the sale and giving away of liquor in the Indian country in about a generation more the Indian race will disappear.

It may be said that they are not worthy of preservation. I sometimes have thought that perhaps that might be true; yet I recollect that among the historical characters in the immediate vicinity in which I lived in the State of New York there were Indians of intellect and of brains, soldiers, warriors, orators, and, in their way, statesmen, who would have done credit to a greater civilization than theirs. I recollect reading in my early days the orations of Red Jacket and other Indians, in which they presented their case to the American people and made complaint of ill treatment on the part of the whites.

Whatever may be the value economically of the Indian, there is a moral obligation on us which we can not escape. You can not say that their place can better be taken by white men. Last year a million people came to our shores from abroad. Not more than 200,000 were better than the Indian population of this country in anything that goes to make citizenship. The Indian is worth saving. Even though you want to get rid of your obligations, yet, nevertheless, economically, he is worth saving and ought to be saved. We can save the Indians by keeping our pledge to and our faith with them, made seventy years ago; and, in my judgment, we can not save them in any other way.

Is it important that the Indian Territory should be attached to Oklahoma? Can you not have and maintain in the Indian Territory a government under the control of Congress that will be as good for the Indians as would a State government when you consider that thereby you will maintain the restrictions and keep the pledge of the United States that no government shall be placed over them except a government of their own?

What are you going to do about taxation? You have given to the Indians a deed—not to the individual Indians, but to the tribes—and then you have enacted subsequent legislation, most unwise, and against which on every occasion I have entered my protest and recorded my vote.

The greatest harm that has been done to the Indians on this continent was when there was a cry raised in this country for the allotment of their lands. I heard ad nauseam that the only reason the Indians were not civilized and Christianized and ready to discharge the duties of citizenship was that they owned land in common. Land in common was the earliest thought of mankind, and, under the system of holding land in common, there have arisen in the history of the world nations that have become powerful and great. What the people of that time needed was the protecting hand of the Government, which could only be had when the land was held in common by the whole tribe.

Fifty years ago we put limitations upon the right of the Indians to dispose of their lands. In the State of Michigan we gave to the Indians nearly, if not quite, 5,000 patents, and stipulated that for a period of five years the lands should not be alienable. At the end of the five-year period, or very soon thereafter, every Indian who had been given a patent had parted with his title.

By legislation which has been enacted there has been placed on some of these lands a limitation of twenty-five years during which they may not be alienated, and during that time those lands can not be taxed if the plighted faith of this Government is maintained.

Let me ask Senators who are lawyers how, when this land is incorporated within the limits of a State and when, in the eye of the law, these men cease to be Indians, you are to protect them against State taxation? If anyone contends the Government can do so, he should read the Kansas case and the New York case, where the power of the Government to protect the Indians from taxation by the States is based entirely upon the fact that they are members of tribes, and that when that tribal relation ceases to exist there is no such thing as the Government protecting them from taxation on either personal or real property.

Mr. President, I recognize all the difficulties which we as lawyers meet in this matter. I should not myself know how to

prepare a constitution that would, when the Indian Territory is united with Oklahoma, protect the Indian who is not a member of a tribe from paying his taxes, as every other man within the borders of that community must do. I do not believe it is in the power of the lawyers of this country to prepare a constitution that will stand that test. But we do not need to make Indian Territory a part of Oklahoma, and so have the State of Oklahoma insisting that the Indians are bound, as every other occupant of land or every other owner of property within its borders is bound, to pay their share of taxation.

You have got in this bill a provision that for a limited time no liquor shall be sold inside of what is now the Indian Territory. How effective that will be I do not know. I myself am prepared to vote for it as an experiment; but I am not certain what good it will accomplish.

If the intent of this bill is carried out and the Indian Territory is annexed to Oklahoma, in a few years I believe you will have a landless Indian population. What will become of them? We all know they do not have the Anglo-Saxon thrift; they do not have the desire to hold land that our people have, nor have they the desire to accumulate that we have. If you could keep them upon the land, at least they would have something from which they might earn a living.

Mr. President, if there was necessity for the union of these two Territories, I should be willing, in the interest of the six or seven hundred thousand people that are said to be in the Indian Territory, that such action should be taken; but there is not any such necessity. If it becomes necessary to do away with the obligation which I say is incumbent upon us morally, if not legally, to maintain a government of their own for them, at all events we can maintain some form of government over them. If we do that it will be better for them than statehood in connection with Oklahoma, or even without it.

As I have said, I am not going to make any extended remarks except touching this one phase of the question. I am not at present physically able to do so.

Mr. QUARLES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. TELLER. I will hear the Senator.

Mr. QUARLES. Before the Senator passes from that point, I want, for information, to inquire of him whether he does not meet in the case of Oklahoma precisely the same problem as that of which he has been speaking in relation to the Indian Territory? I speak from recollection purely, but it seems to me that there are as many Indians, or nearly as many, in Oklahoma as there are in the Indian Territory, that the allotments in the Territory of Oklahoma have proceeded along the same lines as those in the Indian Territory, and the title is practically the same—inalienability for the same period, and freedom from taxation. If I am correct in my recollection, I should like to ask the Senator—

Mr. TELLER. The Senator is not correct as to the numbers. He is correct as to the fact that there are Indians inside of Oklahoma as it is now situated and held as a Territory. But they are not the Indians with whom we made the treaties of which we have been speaking. Take the Osages. They are the richest people, it is said, on the continent, in proportion to number. They probably have the greatest per capita wealth of any community. They are inside the present Territory of Oklahoma. They will be brought under the jurisdiction of the State of Oklahoma. What the recent treaties are I do not know. But they will still be under the protecting care of the United States if the tribal relation has not been dissolved, which I do not think it has been, altogether.

There has been an allotment of a large amount of land to these Indians, as I understand, and it is now in process of being allotted. But the mere fact that land is allotted does not make an Indian a citizen of the United States and it does not dissolve his tribal relation.

Mr. President, I understand that practically an agreement has been made that we shall vote on a certain day. So I shall not be charged with any interference with a final vote if I get an opportunity when I feel like it to talk a little about some other phases of this case. But I desire, before I quit, to say a few words about the unfairness of the general proposition to put Arizona and New Mexico into one single State.

Mr. President, I have been living in the West for almost forty-four years, and without boasting I may say I think I know something of the western country. I know something of New Mexico. I have been through it, and practically all through it. I know something of Arizona, for I have had an acquaintance with that country also. Either one of those Territories is big enough for a State. Either one of them has popu-

lation enough for a State. Either one of them has a future which, even if upon the present showing its admission was not justified, would warrant its admission, if we look to what it could be and what it will be. Arizona has an area of more than a hundred thousand square miles, with land of such character that wherever it can be watered it will produce more on 40 acres than any piece of land east of the Mississippi River can produce on 160. There are great opportunities for water. The great river, the Colorado, can be diverted and made to water an immense tract.

Arizona can have and will have in due time a population not of a million, but more than that, Mr. President. New Mexico, with a third of a million of population, to-day has millions of acres of just as good land as that which is under cultivation, which has not been touched.

There are areas out of which will be made great Commonwealths, and I want somebody to tell me why it is proposed to put two great areas together when they are divided by nature into two Commonwealths. If they are not ready for independent and separate statehood, it is our duty to wait until they are ready.

Mr. President, to go from some sections of Arizona to the capital of the proposed State a man would have to go farther than if he started from the northern boundary of the State of New York and went to the southern boundary of New Jersey. There is not any economic reason on the face of the earth why those two communities should be put together. There is not any political reason for it that does not disgrace the political party which advances it. What reason can you advance, unless it is what has been whispered about this Chamber and whispered in the press, that the great West is to be curtailed, and there are to be no more representatives from the West in this body or in the other than are absolutely necessary?

I had intended to say, and I think I shall at a subsequent period, something about the great West. I live in the center of it. I know it is not now so populous as to command the attention of every section of the country as it might. It has about a quarter of the population of the United States. But there are Senators sitting in this Chamber now who will live to see west of the Mississippi more people than are east of it and who will live to see the wealth of that country greater than the wealth east of the river.

To-day, if you will look over the statistics you will discover—and I am not going into the details—that a great share of the exports of this country and a great share of its productive wealth each year come from the lands west of the Mississippi River. Is there any reason why the West, if it has the population and the area, should not have its representatives here?

Mr. President, you have in the East a little area less than one-third or about one-third the size of the State of Colorado which has twelve Senators sitting in this Chamber. They are little communities. They are small in population. They are insignificant in wealth. The history of this country shows that the representatives of those little States have done their duty in this Chamber and in every other department of this Government, and have added glory to its history. The West has done its part, too, since the settlement of that country, and it will do it in the future. I dislike to see sectionalism brought out. I would not double up one of the New England States if I had the power, and I would not cut any great Western State in two to make more Senators any more than I would add States together to make less. Forty-five States, forty-five nationalities, forty-five sovereignties, there are four more that ought to be added, and if partisan prejudice and sectional hate do not prevent it, there will be four more States added, and then there will be forty-nine. The time will come when that great region in the north which we call now the "frozen zone" will have its population of intelligence and wealth, and it will demand admission, and if justice is done Alaska will make the fiftieth State, and then the list will close, unless we should be unwise enough to add some of these foreign possessions to a part of the statehood of this country.

Mr. BEVERIDGE. May I ask the Senator from Colorado a question?

Mr. TELLER. Certainly.

Mr. BEVERIDGE. The Senator has suggested that Alaska should ultimately be admitted as a State. Does the Senator think Alaska is not too large in area to be a State?

Mr. TELLER. Alaska is bigger than any State that ever was formed, but much of Alaska is uninhabitable and ever will be uninhabitable. Yet there are within the borders of that Territory lands which would sustain a population large enough in numbers, in wealth, and importance to form a State, and whose representatives will be able to sit proudly by the representatives in this Chamber of the oldest and the richest State and not feel any inferiority. If it could all be settled up it

would be too big, perhaps, for one State, but it can not be, and it can not be properly divided into two. I do not believe in dividing big States nor do I believe in uniting little ones. You might cut the State of Colorado in two and in a few years there would be a population in each half that would be able to sustain a State government and have all the appliances of any State government in the Union.

Texas is entitled to come into this Chamber with added representatives, but I do not suppose it will ever be done. If I was a citizen of Texas I do not believe I would ever vote to cut that empire in two. I would rather be a citizen of Texas as it is than to be a citizen of a divided part.

There was a time in the history of this country when Webster said that the Representative from Oregon could not get here until Congress had closed, if he started at the proper time in the fall, when usually Members started for Washington. But the means of transportation have enabled great States, though they may lie at a great distance from here, to send their representatives to Washington in time.

Mr. President, I am an American myself. There is not any State in this Union, from little Vermont to Texas, of which I do not feel proud. Not a State, big or little, comes into this Union that I do not feel like welcoming its representatives to this Chamber. And I should be delighted to-day to recognize on this floor the representatives from Oklahoma and New Mexico and Arizona. I do not care, I repeat, how they would vote. They would represent undoubtedly the sentiment of their communities. At all events the people of the United States are entitled, when they are in numbers great enough and rich enough in any community to maintain a State government, to full citizenship in this Government.

For fifteen years I lived in a Territory. I went there before there was any law there. I went there when every man was a law unto himself; and I have seen the State grow up. I know what it is to be denied citizenship for fifteen years. I sympathize with these people. Take the Territory of New Mexico. More than fifty years ago they sent here their representatives and their constitution to be approved by the United States, and one of the great men of this body declared that it was one of the most complete and deserving constitutions he had ever read. Douglas said when there were 10,000 people in a given area, who were ready and able to maintain a State government, he was in favor of its admission as a State.

Mr. President, I have on my table a great many reports, some of them made years and years ago, before anybody here entered this Chamber, in favor of the admission of New Mexico. I believe I have voted for the admission of New Mexico six or eight or ten times in this Chamber. I can not read them, nor can I go into the argument, as I hope I may yet be able to do, to show why the Territory ought to be admitted. Yet, after listening to the junior Senator from North Dakota [Mr. McCUMBER] the other day, I feel that if he did not convince the members of the Senate that there ought to be four States in time and not two, it would be useless for one like me to attempt it.

Mr. BEVERIDGE. Mr. President, I ask unanimous consent that one week from to-morrow, being Tuesday, the 7th of February, at 4 o'clock in the afternoon, a vote be had upon the pending bill and all amendments now pending and to be pending.

Mr. BATE. What is the proposition? I did not hear the first part of it.

Mr. BEVERIDGE. That one week from to-morrow, that being Tuesday, the 7th day of February, at 4 o'clock in the afternoon, a vote be had upon the present bill and all amendments pending and to be pending.

Mr. BATE. Do you agree to take up the bill—

Mr. STEWART. I suggest to the Senator that that would not quite cover it. A good many amendments will not be pending, but they will have been offered and notice will have been given of them.

Mr. BEVERIDGE. I said pending and to be pending at that time.

Mr. SPOONER. Or offered.

Mr. BEVERIDGE. Or offered; though I suppose if they were offered, they would be pending at 4 o'clock of that day. However, it is suggested that I use the words "pending or to be offered."

Mr. TELLER. At what hour?

Mr. BEVERIDGE. Four o'clock in the afternoon of Tuesday, the 7th.

Mr. TELLER. I suppose we shall then commence to vote on the amendments?

Mr. BEVERIDGE. At 4 o'clock, on the bill and amendments. Mr. TELLER. And continue to vote on the amendments until we reach the bill?

Mr. BEVERIDGE. Continue to vote on them until the bill is disposed of.

Mr. TELLER. Is there any reservation as to the time?

Mr. BEVERIDGE. No. I understand from now until then opportunity will be given to anyone who wishes to address the Senate upon the bill or any phase of it.

Mr. BATE. I suggest to the Senator from Indiana that we allow ten to fifteen minutes' time for debate on amendments, as we have done heretofore.

Mr. BAILEY. I suggest that beginning Monday, and taking Monday and Tuesday, we have five or ten minute debate on the amendments.

Mr. BATE. Tuesday or Wednesday.

Mr. BAILEY. Just so you fix a time.

Mr. BATE. Yes; that is all there is to it.

Mr. BAILEY. I think Monday and Tuesday will be sufficient.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Senator from Indiana suggested that the vote on the amendments should begin at 4 o'clock on Tuesday.

Mr. BEVERIDGE. That is right.

Mr. PATTERSON. Let me suggest to the Senator from Indiana that unanimous consent be given for an arrangement of this kind: That commencing on Monday, after the morning business, all debate on each amendment be limited to fifteen minutes, and that as rapidly—

Mr. BEVERIDGE. I will modify my request. I catch the suggestion of the Senator from Texas and the Senator from Colorado. I think I can modify my request so as to meet the views of both Senators. I modify my request as follows: That on Tuesday, one week from to-morrow, at 2 o'clock, instead of 4 o'clock, we begin to vote upon the amendments pending and to be offered, and continue voting upon—no, I will modify that still: That at 2 o'clock on Tuesday we begin to discuss the amendments under a ten-minute rule—

Mr. PATTERSON. Fifteen minutes.

Mr. BEVERIDGE. Or fifteen minutes.

Mr. PATTERSON. That is right.

Mr. BEVERIDGE. Until 4 o'clock, at which time a vote shall be had upon the pending bill and all amendments pending or then offered, and that the voting shall continue until the amendments and the bill are disposed of before adjournment on that day.

Mr. PATTERSON. Let me suggest a slight modification of the request made by the Senator from Indiana. That all general debate on the bill cease on Monday—

Mr. BEVERIDGE. Yes.

Mr. PATTERSON. That all general debate cease on Monday; that on Tuesday the debate proceed under the fifteen-minute rule as each amendment is presented, each amendment to be settled as it is presented. Let discussion be had upon each of these amendments under the fifteen-minute rule—that is, fifteen minutes to each amendment; and whether we vote at 4 o'clock or not, as soon as the amendments are disposed of, then we commence voting on the amendments and the bill.

Mr. TELLER. Fifteen minutes to a side on each amendment?

Mr. ALGER. Mr. President—

Mr. BEVERIDGE. I got a little bit confused in catching the last suggestion.

Mr. PATTERSON. Perhaps I can restate it. That all general debate on the bill—

Mr. BEVERIDGE. Cease on Monday.

Mr. PATTERSON. Cease on Monday. Then commence the presentation and discussion of the amendments on Tuesday.

Mr. BEVERIDGE. Yes.

The PRESIDING OFFICER. Immediately after the close of the morning business?

Mr. PATTERSON. Immediately after the morning business.

Mr. BEVERIDGE. Very well.

Mr. PATTERSON. And that each amendment be disposed of as it is brought up, but previous to the disposition of it, let there be discussion—

Mr. BEVERIDGE. Oh!

Mr. PATTERSON. Say ten minutes to a side.

Mr. BATE. Fifteen.

Mr. PATTERSON. Or fifteen minutes to a side on each amendment, and continue thus with the amendments until we are through with them, and then immediately commence voting on the amendments and the bill.

Mr. BEVERIDGE. I should not object to that, were it not obvious to me, as I think it must be to most Senators, that it is impracticable. I suggest instead a very slight modification, so as to make it practicable: That all general debate, as the Senator suggests, conclude on Monday; that on Tuesday, either at 2 o'clock or immediately after the morning business shall have been concluded, debate be had under the fifteen-minute rule.

Mr. SPOONER. The proposition of the Senator from Colorado is more restrictive than that.

Mr. BEVERIDGE. I know it is. That is why I do not think it is practicable, because if you take up each amendment and discuss it under the fifteen-minute rule when will we get through? But if you confine it to 4 o'clock—

Mr. SPOONER. No; the proposition of the Senator from Colorado is not that each Senator shall have fifteen minutes—

Mr. BEVERIDGE. I know that.

Mr. SPOONER. But that the debate shall be confined to fifteen minutes on a side.

Mr. BATE. That will not do.

Mr. SPOONER. Fifteen minutes on each amendment on each side.

Mr. BEVERIDGE. He did not say "on each side."

Mr. SPOONER. Yes; he did.

Mr. ALGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Michigan?

Mr. BEVERIDGE. Certainly.

Mr. ALGER. I dislike very much to interfere with the arrangement which is about to be made, but it seems to me it is hardly just to go on with it in the absence of the senior Senator from Ohio [Mr. FORAKER], who is very greatly interested in the matter.

Mr. BEVERIDGE. I have the authority from the senior Senator from Ohio, personally given to me, that any agreement which may be reached as to voting will be entirely agreeable to him. He asked merely that we should not, if it was convenient, fix a day before Saturday, when he will return. So the Senator from Ohio has been consulted about that phase of the case.

Mr. PATTERSON. I hope the Senator from Indiana will accept the proposition I made—

Mr. BEVERIDGE. The Senator does not see my modification.

Mr. PATTERSON. I was just going to say that my proposition seems to meet with general concurrence.

Mr. BAILEY. Let me make this suggestion: That instead of beginning at 2 o'clock we begin immediately after the approval of the Journal.

The PRESIDING OFFICER. On what day?

Mr. BAILEY. That will give us four hours.

Mr. BEVERIDGE. I think that is a very good suggestion.

Mr. BAILEY. If you have four hours' time for debate and allow ten minutes to each side on each amendment, almost every Senator who desires to express himself on the amendments will find an opportunity. That will give four hours, and my own opinion is that there will not be so much contest over many of the amendments.

Mr. BEVERIDGE. My suggestion—

Mr. PLATT of Connecticut. Only ten minutes on a side? That will give only twenty minutes on each amendment.

Mr. BAILEY. On each amendment; but I believe that will be sufficient.

Mr. PATTERSON. If the Senator from Texas—

Mr. BEVERIDGE. I wish to suggest, before the Senator from Colorado speaks, in answer to the suggestion of the Senator from Texas and the Senator from Colorado, that I see no objection to that, with this possible modification, which I suggest, that instead of speaking upon each amendment separately the debate occur, as the Senator from Texas suggests, immediately after the reading of the Journal and continue under the ten-minute or fifteen-minute rule upon everything in general until 4 o'clock.

Mr. PATTERSON. Let us get each amendment out of the way.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. The Senator from Indiana has the floor. Does he yield to the Senator from Nevada?

Mr. BEVERIDGE. I yield the floor to any Senator who wants to make a suggestion.

Mr. NEWLANDS. I understand the suggestion of the Senator from Texas is that debate on each amendment shall be confined to twenty minutes, ten minutes on each side?

Mr. BEVERIDGE. Yes.

Mr. NEWLANDS. Now, I object to that arrangement. I think the most important part of this debate will probably come upon the amendments, not on all of them, but on some of them.

Mr. SPOONER. They can be discussed all this week.

Mr. BEVERIDGE. There are seven days for that.

Mr. NEWLANDS. But there will not be the attendance here that there would be when the amendments are up for consideration and when a vote may come on any one of them at any moment. It seems to me that it would be wise to take up each one of the amendments and let each Senator, if he chooses, occupy ten minutes in debate. It is not probable that all the Senators would wish to debate each amendment, and the debate

would probably be confined to five or six or seven or eight of the most important amendments; but at all events we would have a full discussion, accompanied by a full attendance of the Senate.

Mr. BAILEY. I was going to try to meet the Senator's wish by proposing that the general debate shall close with the adjournment of the Senate on Saturday, and that the debate on the amendments shall begin on Monday, and each Senator shall have ten minutes.

Mr. BEVERIDGE. That would not be as convenient as the arrangement suggested by the Senator from Colorado.

Mr. BAILEY. That each Senator may have ten minutes, provided the voting is to begin at 4 o'clock on Tuesday.

Mr. BEVERIDGE. I will say to the Senator from Texas that that arrangement would not be as personally convenient to some as the arrangement suggested by the Senator from Colorado, which was that the general debate should conclude on Monday and that the vote should begin on Tuesday. I think the last suggestion of the Senator from Texas would be acceptable to me.

Mr. PATTERSON. Will not the Senator give four hours for general debate?

Mr. NEWLANDS. I see no reason for fixing an hour at which the vote on the bill shall take place. It seems to me that the rational method of conducting the debate is to have a thorough debate upon each amendment and proceed in order until we shall have exhausted debate on all the amendments, and then vote on the bill. It seems to me it would be time well spent, even if it should take two days to accomplish that. As it is, we might not exhaust all the discussion upon the amendments before the time fixed for the vote upon the bill, and the result would be that we would then be compelled, without a full discussion of the amendments, to vote upon the amendments and the bill itself.

Mr. BAILEY. Then I suggest, in order to meet the views of the Senator from Nevada, that we close the general debate on Monday and devote Tuesday and until 4 o'clock Wednesday to the consideration of the bill under the ten-minute rule.

Mr. KEAN. I call the attention of the Senator from Texas to the fact that Wednesday is the day for the count of the electoral votes.

Mr. BATE. That will take only an hour or more.

Mr. BEVERIDGE. I think the last suggestion of the Senators from Texas and Colorado would be more acceptable to me.

Mr. BAILEY. Anything will suit me.

The PRESIDING OFFICER. The Chair will suggest that the count of the electoral votes will take place on the 8th of February.

Mr. KEAN. That is on Wednesday.

Mr. PATTERSON. On conversing with the Senator from Indiana, I am quite satisfied that he has no purpose and no desire to be exacting in the matter of closing the debate.

Mr. BEVERIDGE. Certainly not.

Mr. PATTERSON. I think he is willing to acquiesce in an arrangement of this kind: General debate to close on Monday; to commence immediately after the reading of the Journal on Tuesday, discussing and voting upon the amendments, and conduct that discussion under the ten-minute rule, as many Senators as desire speaking upon either side; and when the debate is ended upon each amendment then take a vote, until they are all concluded.

Mr. BEVERIDGE. Including the bill.

Mr. PATTERSON. Then commence debating, without fixing the exact time at which the vote will commence.

Mr. BEVERIDGE. Very good; with the addition that we shall continue voting on that day until all the amendments and the bill are disposed of.

Mr. PATTERSON. Yes.

Mr. SPOONER. What date is Monday?

Mr. BEVERIDGE. The 6th of February.

Mr. STEWART. The best debate I have ever seen in this Chamber has been under the five-minute rule. I suggest to Senators to modify this arrangement by saying that debate shall be under the five-minute rule. Under the five-minute rule more debate will take place, and all will pay attention. The best debate you can have is when everyone is here and it is conducted under the five-minute rule.

Mr. BEVERIDGE. Whatever the Senator from Colorado or the Senator from Nevada thinks best is agreeable to me, either the five or ten minute rule.

Mr. BATE. I wish to say in that respect that there are several Senators here who would, I know, like to make speeches, and while they do not want to make long speeches, they wish to embrace this opportunity, and I think fifteen minutes is little time enough, but it will be ample time.

Mr. BEVERIDGE. Fifteen minutes to a side?

Mr. PATTERSON. Each Senator to speak fifteen minutes.

Mr. BATE. Those who occupy that time ought not to complain about that.

The PRESIDING OFFICER. The Chair is waiting for an understanding by the Senate.

Mr. BEVERIDGE. I had already agreed to the understanding as finally stated by the Senator from Colorado, but now there is another suggestion made.

Mr. TELLER. I wish to make a suggestion. In the first place, it never has been customary for us to fix the time for a vote except by saying that we will continue in session until we reach a vote, or something of that sort. The Senator who has the bill in charge knows very well that there has been no effort made to delay the bill. He is quite well aware that if we should determine that we would not vote on the bill at this session he could not get a vote. I presume he knows that. We had a little experience at the last session when he prevented us from getting a vote, which I recall very well, and I think that, profiting by his example, we might succeed in doing the same thing if we should try.

Now, I think the thing to do is to take up the amendments. The Senator from Indiana expects to close the debate, I presume. Will he tell us on what day he wants to close the debate? Does he expect to close it on Monday?

Mr. BEVERIDGE. If we vote on the bill, say, on Tuesday, I should think that I, or some other member of the committee, as is usual, would close the debate. Of course we would want to do it after all the speeches were made.

Mr. SPOONER. I shall object to any arrangement by unanimous consent which binds the Senate to a course of action and ties it up as to the regular procedure, a necessary procedure, in the impeachment trial.

Mr. BEVERIDGE. I understand that. My understanding of that, and I think the Senator will find it correct, is that on the 3d the respondent is to appear and answer, and the witnesses are summoned to appear on the 10th. Between the 3d and the 10th there is one week, as to which no order has yet been made, during which the House will be given an opportunity to appear and file a replication.

Mr. SPOONER. My impression is that the Senator from Indiana entirely misunderstands it.

Mr. BEVERIDGE. It may be that I do. The Senator from Connecticut will probably know.

The PRESIDING OFFICER. The Senator from Connecticut is present and will state.

Mr. PLATT of Connecticut. As I recollect, Mr. President, the court adjourned until next Friday, at 12.30 o'clock.

Mr. SPOONER. That is the 3d.

Mr. PLATT of Connecticut. It is the 3d. The respondent is then to file his answer, and there is no other order except—

Mr. BEVERIDGE. Except as to witnesses.

Mr. PLATT of Connecticut. The witnesses were to be summoned to appear on the 10th.

Mr. SPOONER. My position, for one, is that I will not consent to any arrangement which precludes the Senate from meeting on the 6th as a court for the filing of the replication. If that is guarded—

Mr. TELLER. When were they to file it?

Mr. SPOONER. It is for us to fix the time.

Mr. PLATT of Connecticut. That has not been fixed. The respondent is to have until the 3d, which is next Friday, to file his answer. That is all that has been determined upon by the Senate except that summonses have been issued for witnesses to be here on the 10th.

The PRESIDING OFFICER. The Chair is waiting for some announcement of an understanding, if one can be made. If not, the Senate will go on with business.

Mr. SPOONER. I am perfectly willing that the arrangement proposed by the Senator from Indiana shall be made and carried out, subject to the interruption of the debate and the vote on the amendments to the statehood bill by any necessary session of the Senate as a court for the trial of the impeachment.

Mr. BEVERIDGE. Very well.

Mr. SPOONER. But that must be guarded in the arrangement.

Mr. BEVERIDGE. That must be guarded.

Mr. TELLER. Then let us take another day.

Mr. BEVERIDGE. May I ask the Senator whether he anticipates, as I think I heard him suggest a moment ago, that the replication will be required by the 6th?

Mr. SPOONER. On the 3d the answer is to come in. On that day the Senate is to determine, sitting as a court of impeachment, how long a time it will give for the replication. I hope that time will not be longer than the 6th.

Mr. BEVERIDGE. Very well.

Mr. SPOONER. I object to any arrangement being made that will involve a continuance of the sessions of the Senate on the statehood bill sitting as a legislative body and preclude it from speeding, if it may, the pleadings in the impeachment.

Mr. BEVERIDGE. I agree with the Senator, and I suggest to him this: Upon the assumption that the 6th may be fixed as the date for the replication, after the replication is filed, which will not take any very great time—we can not proceed with the trial on that day because the witnesses are summoned to appear on the 10th—after that occurs on that day and we get through with other proceedings before the court, that we then conclude the debate upon the statehood bill.

Mr. SPOONER. The Senator may easily make any arrangement he chooses and make it binding all the time in legislative session, subject, however, to such interruption as may be necessary in the trial of the impeachment.

Mr. BEVERIDGE. I am very glad to include that, Mr. President.

The PRESIDENT pro tempore. Will Senators please resume their seats? It is impossible for the Chair to tell who has the floor. Now, will the Senator from Indiana please state his proposition again?

Mr. BEVERIDGE. I will state the proposition, not as I originally made it, but as it has been made and modified by the suggestions of the Senator from Colorado and the Senator from Texas, as I understand them, and they can correct me if I am wrong. I will say before stating it, and as preliminary to the statement of the agreement, all this being subject to any necessary interruption of the Senate sitting as a court of impeachment in the Swayne case.

Mr. BERRY and others. That is all right.

Mr. BEVERIDGE. It is that on next Monday the general debate on the bill shall close; that on Tuesday morning, as suggested by the Senator from Texas, immediately after the reading of the Journal, the amendments to the bill shall be taken up and debate shall be had upon each of them under the ten-minute rule—

Mr. BATE. And on such amendments as may be hereafter presented.

Mr. BEVERIDGE. Oh, yes; including the amendments pending or hereafter to be offered, under the ten-minute rule, and that such amendments and finally the bill itself shall be voted on until all are voted on before adjournment.

Mr. KEAN. Beginning at 4 o'clock.

Mr. BERRY. During that day.

Mr. HANSBROUGH. That is fair.

Mr. BEVERIDGE. This is the proposal, as I understand it, modified, which is acceptable to me.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that general debate on the pending bill shall close on Monday next; that on Tuesday, immediately after the reading of the Journal, the bill shall be taken up for the consideration of pending amendments and amendments that may then be offered; that the debate on each amendment shall be limited to ten minutes to each Senator desiring to debate, and that the final vote on amendments and the bill shall be taken before the adjournment of that day.

Mr. BEVERIDGE. That is correct.

The PRESIDENT pro tempore. Is there objection?

Mr. SPOONER. I hope the Senator will insert "subject to meetings of the Senate as a court."

Mr. BEVERIDGE. I stated that as preliminary.

Mr. SPOONER. "Subject to the meetings of the Senate sitting as a court of impeachment."

The PRESIDENT pro tempore. There will not be any meeting of the Senate sitting as a court of impeachment until the 3d day of February.

Mr. SPOONER. What day is that?

Mr. BATE. Friday.

The PRESIDENT pro tempore. Friday next. On Friday next there is a meeting of the Senate as a court.

Mr. SPOONER. Then that must be guarded.

Mr. GORMAN. Certainly.

Mr. BEVERIDGE. But we do not need to put that in.

The PRESIDENT pro tempore. How does the Senator propose to make provision against that?

Mr. SPOONER. It seems to me that it is very simple. This agreement is a legislative agreement, and it may be very well subject to such meetings as may be necessary for the Senate to have sitting in the impeachment trial. On the 3d the answer of the respondent is to be filed. On that day the Senate will be asked to fix a time within which the replication, or such other pleading as counsel or the managers may be advised of, shall be filed. Now, we must not allow ourselves to be put in a position here where the trial will be postponed because of a unanimous-

consent agreement about this legislative business. All I mean is that, maintaining and observing in legislative session this unanimous-consent agreement, it shall be subject to the right of the Senate to meet and fix a time for pleading, and all that, in the impeachment trial. It will not interfere materially with your proceeding.

The PRESIDENT pro tempore. What does the Senator mean by subject to such meetings? That it may postpone still further the day when the vote is to be taken?

Mr. SPOONER. Suppose that on the 3d this matter will be up in legislative session. We meet on that day as a court in the impeachment trial to hear the answer of the respondent. We meet also to determine then how long a time shall be given to the managers within which to file a replication or other plea. Then, having done that, we go into legislative session. The unanimous-consent agreement about the statehood bill is in operation, and we want to save the right of the Senate to proceed in an orderly way with the impeachment trial, without prejudice on account of this general consent about the statehood bill in legislative session. That is what I mean.

Mr. BEVERIDGE. I wish to state that I do not think it presents a practical difficulty, and I think also this provision perhaps ought to be put in the order only as a practical matter on account of one possible thing which may occur in this interval, and that is, that a date shall be fixed between the day of answer and the time of voting on this bill for the filing of the House's replication, if any. No trial can proceed because the witnesses have already by order of the court been summoned to appear on the 10th, which is two or three days after the time this bill is to be voted on. Therefore, as a practical matter, there is only one thing which can occur, which is the date of the filing of the replication that the court may order or allow the House to file. Now, as the date for filing the answer of the respondent is fixed for Friday, if the date fixed for the filing of the replication should be set for Monday of the coming week, let us say, it could not possibly consume more than half an hour or an hour. So as a practical matter the suggestion of the Senator from Wisconsin does not present any difficulty, which is the reason why I consent to it.

Mr. SPOONER. If the Senator will permit me, the Senate has more to determine sitting as an impeachment tribunal than the time it will give for the filing of the replication. It is very true that the Senate has fixed the 10th day of February for the appearance of witnesses. It is equally true that the Senate has not decided when the trial shall begin.

Mr. BEVERIDGE. That is true; but I assumed that the trial would not begin before the witnesses came.

Mr. SPOONER. It is for the Senate yet to fix that date.

Mr. BEVERIDGE. That is true.

Mr. SPOONER. Now, it is a practical question, and there is no reason on earth why this general-consent proposition, which refers only to the legislative session, shall not be subject to the necessities of the Senate sitting as a court in the impeachment trial.

Mr. BEVERIDGE. I agree with that.

Mr. SPOONER. If it can not be made subject to it, I shall object to the arrangement.

The PRESIDENT pro tempore. Then all the Senator from Wisconsin desires, if the Chair understands it, is that this unanimous-consent agreement shall not interfere with the Senate sitting as a court of impeachment.

Mr. SPOONER. That is all.

Mr. BEVERIDGE. That is all.

The PRESIDENT pro tempore. The Chair adds that to the unanimous-consent agreement which was asked.

Mr. PATTERSON. There is just one further point that ought to be included, that a vote will be had upon each amendment immediately at the end of the discussion upon each amendment.

Mr. BATE. That is understood.

Mr. BEVERIDGE. That would be included.

Mr. GORMAN. Yes.

Mr. NEWLANDS. I should like to inquire whether the understanding implies that there shall be a vote on the bill itself on Tuesday?

Mr. BEVERIDGE. It does.

Mr. NEWLANDS. So we will have to remain in continuous session until we get through with all the amendments and then reach a vote on the bill?

Mr. BEVERIDGE. We will.

Mr. BATE. I wish to say, in this connection, that I made that suggestion a while ago and it was replied to by a Senator by saying we could extend the day by taking a recess until the next day.

Mr. NEWLANDS. I have no objection to that, Mr. President,

provided it gives us the fullest opportunity to discuss the amendments and the bill.

Mr. BEVERIDGE. How is that?

Mr. NEWLANDS. I say I have no objection to that, provided that the time gives us the fullest opportunity of discussing the amendments and the bill.

Mr. BEVERIDGE. It was for that reason the Senator from Texas suggested that the debate begin immediately after the reading of the Journal, as I understood it, on Tuesday. Then we take up the bill, as the Chair has stated, and continue debating and voting on the amendments until finally the bill itself shall be voted on, the voting on the bill and amendments to conclude before adjournment Tuesday.

The PRESIDENT pro tempore. Is it necessary for the Chair to repeat the unanimous-consent agreement?

Mr. GORMAN and Mr. TELLER. No.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the order is made.

Mr. BEVERIDGE. Let us hear it read now.

Mr. BAILEY. The Chair stated it with great clearness.

Mr. BEVERIDGE. I think he did, but a Senator in my rear asks that it be read.

The PRESIDENT pro tempore. The Secretary will please read the agreement.

The Secretary read as follows:

That general debate on the bill shall close on Monday next, February 6; that on Tuesday next, February 7, immediately upon the reading of the Journal, the Senate will proceed to the consideration of the amendments offered or then to be offered; that debate upon each amendment shall be limited to ten minutes for each Senator speaking thereon; and that before adjournment on Tuesday a vote shall be had upon the bill itself. This order shall not interfere with the Senate sitting as a court of impeachment.

Mr. BAILEY. Mr. President, I suggest that where the Secretary has read "immediately upon the reading of the Journal" he put it "immediately upon the approval of the Journal."

Mr. BEVERIDGE. Yes.

The PRESIDENT pro tempore. I think that is as the Chair put it. It strikes the Chair that he put it that the final vote shall be taken before adjournment upon Tuesday on the bill and all amendments.

Mr. BEVERIDGE. That is correct.

The PRESIDENT pro tempore. The Chair had that in his proposition as he put it. Is there objection?

Mr. BACON. I understood the agreement further to provide that the vote should be taken on each amendment at the close of the discussion upon it.

Mr. BATE. The Chair did not state that.

Mr. McLAURIN. That ought to be stated in the order.

Mr. NEWLANDS. That was the understanding.

Mr. BATE. Let that be incorporated.

The PRESIDENT pro tempore. The Chair is rather of opinion that that would go at any rate under the unanimous-consent agreement.

Mr. TELLER. I wish to know whether we have agreed to this arrangement or not.

The PRESIDENT pro tempore. Is there objection?

Mr. TELLER. I wish to suggest that instead of saying on Tuesday we say that legislative day. The session might run past midnight. We do that sometimes.

Mr. BEVERIDGE. I think that is included by saying "before adjournment."

The PRESIDENT pro tempore. The Chair is of opinion that the session of that day might run almost any length of time, except that on February 8 there is another duty for the Senate to perform.

Mr. BEVERIDGE. The Senate agrees that that is included in the words "before adjournment."

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The order is made.

EXECUTIVE SESSION.

Mr. BEVERIDGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 31, 1905, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 30, 1905.

PROMOTIONS IN THE ARMY.

Artillery Corps.

First Lieut. Stanley D. Embick, Artillery Corps, to be captain, with rank from January 23, 1905, vice Hinkley, resigned.

Infantry Arm.

First Lieut. Ralph B. Parrott, Twenty-second Infantry, to be captain, with rank from January 15, 1905, vice Lyle, Twenty-seventh Infantry, deceased.

POSTMASTERS.

ALABAMA.

George R. Lewis to be postmaster at Bessemer, in the county of Jefferson and State of Alabama, in place of Francis M. Johnson. Incumbent's commission expires February 22, 1905.

ARKANSAS.

Lyman S. Roach to be postmaster at Texarkana, in the county of Miller and State of Arkansas, in place of Jacob G. Bickly. Incumbent's commission expires February 26, 1905.

CALIFORNIA.

William E. Reading to be postmaster at Bodie, in the county of Mono and State of California, in place of William E. Reading. Incumbent's commission expired January 16, 1905.

KANSAS.

Fannie M. Hutchison to be postmaster at Wilson, in the county of Ellsworth and State of Kansas, in place of Charles S. Hutchison, deceased.

MASSACHUSETTS.

Lawrence W. Dower to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts, in place of Lawrence W. Dower. Incumbent's commission expired June 5, 1904.

MICHIGAN.

Ada M. Emory to be postmaster at Hancock, in the county of Houghton and State of Michigan, in place of George W. Emory, deceased.

NEW YORK.

Henry Gordon to be postmaster at Fishers Island, in the county of Suffolk and State of New York. Office became Presidential July 1, 1904.

Charles H. McOmber to be postmaster at Watervliet, late West Troy, in the county of Albany and State of New York, in place of Charles H. McOmber, to change name of office.

James H. Smith to be postmaster at Franklinville, in the county of Cattaraugus and State of New York, in place of James H. Smith. Incumbent's commission expired April 12, 1904.

NORTH DAKOTA.

Charles Lano to be postmaster at Mohall, in the county of Ward and State of North Dakota. Office became Presidential January 1, 1905.

PENNSYLVANIA.

Ammon M. Aurand to be postmaster at Beaver Springs, in the county of Snyder and State of Pennsylvania, in place of Ammon M. Aurand. Incumbent's commission expires February 8, 1905.

Michael K. Bergey to be postmaster at Souderton, in the county of Montgomery and State of Pennsylvania, in place of Michael K. Bergey. Incumbent's commission expires February 8, 1905.

Edward K. Demmy to be postmaster at Middletown, in the county of Dauphin and State of Pennsylvania, in place of Edward K. Demmy. Incumbent's commission expires February 8, 1905.

Johnson D. Neely to be postmaster at Derry Station, in the county of Westmoreland and State of Pennsylvania, in place of Johnson D. Neely. Incumbent's commission expires February 8, 1905.

William B. Palmer to be postmaster at Clifton Heights, in the county of Delaware and State of Pennsylvania, in place of William B. Palmer. Incumbent's commission expires February 8, 1905.

George C. Worstall to be postmaster at Newtown, in the county of Bucks and State of Pennsylvania, in place of George C. Worstall. Incumbent's commission expires February 8, 1905.

SOUTH DAKOTA.

William A. Abbott to be postmaster at Waubay, in the county of Day and State of South Dakota. Office became Presidential January 1, 1905.

James Erickson to be postmaster at Bryant, in the county of Hamlin and State of South Dakota. Office became Presidential January 1, 1905.

WEST VIRGINIA.

Ezra B. Hauger to be postmaster at Terra Alta, in the county of Preston and State of West Virginia, in place of William H. Glover, resigned.

WYOMING.

Willis F. Hoadley to be postmaster at Green River, in the county of Sweetwater and State of Wyoming. Office became Presidential October 1, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 30, 1905.

POSTMASTERS.

CONNECTICUT.

Frederick A. Smith to be postmaster at Colchester, in the county of New London and State of Connecticut.

GEORGIA.

Thomas Quinney to be postmaster at Waynesboro, in the county of Burke and State of Georgia.

ILLINOIS.

George W. Hesser to be postmaster at Illiopolis, in the county of Sangamon and State of Illinois.

Thomas Millett, jr., to be postmaster at Troy, in the county of Madison and State of Illinois.

Etta M. Perdue to be postmaster at Marshall, in the county of Clark and State of Illinois.

Daniel A. Williams to be postmaster at Antioch, in the county of Lake and State of Illinois.

INDIANA.

Louis T. Bell to be postmaster at Flora, in the county of Carroll and State of Indiana.

Lucius L. Camplin to be postmaster at Shirley, in the county of Hancock and State of Indiana.

Howard H. Newby to be postmaster at Sheridan, in the county of Hamilton and State of Indiana.

John R. Nordyke to be postmaster at Wolcott, in the county of White and State of Indiana.

Charles R. Swaim to be postmaster at Knightstown, in the county of Henry and State of Indiana.

Harry H. Thompson to be postmaster at Mooresville, in the county of Morgan and State of Indiana.

Frank D. Walters to be postmaster at Monroeville, in the county of Allen and State of Indiana.

IOWA.

Philip M. Mosher to be postmaster at Riceville, in the county of Mitchell and State of Iowa.

Oswell Z. Wellman to be postmaster at Arlington, in the county of Fayette and State of Iowa.

MAINE.

Charles E. Atwood to be postmaster at Biddeford, in the county of York and State of Maine.

MINNESOTA.

James A. Martin to be postmaster at St. Cloud, in the county of Stearns and State of Minnesota.

NEW YORK.

Arthur B. Burrows to be postmaster at Andover, in the county of Allegany and State of New York.

Ebenezer Evans to be postmaster at Waterville, in the county of Oneida and State of New York.

David L. Jamieson to be postmaster at New York Mills, in the county of Oneida and State of New York.

Marion O. Martin to be postmaster at Honeoye Falls, in the county of Monroe and State of New York.

P. S. Spaulding to be postmaster at Whitesboro, in the county of Oneida and State of New York.

Joseph F. Stephens to be postmaster at Highland Falls, in the county of Orange and State of New York.

NORTH CAROLINA.

Charles A. Reynolds to be postmaster at Winston-Salem, in the county of Forsyth and State of North Carolina.

NORTH DAKOTA.

Willis H. Rogers to be postmaster at Hunter, in the county of Cass and State of North Dakota.

PENNSYLVANIA.

Samuel P. Arnold to be postmaster at Curwensville, in the county of Clearfield and State of Pennsylvania.

Henry Feindt to be postmaster at Lykens, in the county of Dauphin and State of Pennsylvania.

Robert A. Todd to be postmaster at Ellwood City, in the county of Lawrence and State of Pennsylvania.

WEST VIRGINIA.

William W. Hamilton to be postmaster at Bramwell, in the county of Mercer and State of West Virginia.

WISCONSIN.

James Carr to be postmaster at Bangor, in the county of La Crosse and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, January 30, 1905.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

FUEL FOR PUBLIC SCHOOLS IN THE DISTRICT OF COLUMBIA.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the immediate consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 18523) making appropriation for fuel for the public schools of the District of Columbia.

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$30,000, to supply a deficiency in the appropriation for fuel for public schools in the District of Columbia for the fiscal year 1905, said sum to be paid one half out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker—

Mr. BAKER. Mr. Speaker—

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not know that I shall object, but reserving the right to object, it seems to me very curious that we can not have a heavy snow in the District of Columbia without a special appropriation to remove snow. Usual events in the District uniformly require unusual appropriations. Winter can not come without a special urgent appropriation, sometimes for fuel for the public schools, although winter and schools both might very well have been expected. I would like the gentleman from Indiana to explain to the House how it happens that the annual appropriations are not sufficient for these purposes.

Mr. HEMENWAY. I will state to the gentleman that the Committee on Appropriations appropriated the amount estimated for coal, giving the full amount of the estimate. Of course the committee had no means of ascertaining, other than through the estimates, what the coal would cost. We appropriated all they asked for. Now they ask for this special appropriation, and through the clerk of our committee I requested the information as to whether or not it would be possible to go ahead with their contracts to carry them on and let it come in on the regular deficiency for this item, and they say they can not do it; that it requires the appropriation now in order to secure the coal.

Mr. WILLIAMS of Mississippi. Well, has it grown out of an appreciation in the price of coal or is it because a larger quantity of coal was necessary than was estimated for?

Mr. HEMENWAY. It is simply, in my judgment, because the estimates at the time they were made were not properly made. There has been, I judge, no increase in the price of coal over the price paid last winter; in fact, in a general way I think coal is cheaper, but they simply did not estimate for enough money to buy coal.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, of course the children in the public schools ought to be kept warm and comfortable, and I have no idea of objecting to this appropriation, but it does seem to me that the estimates for the annual appropriation for the District of Columbia ought to be more carefully made than they have been. I notice this not only in this connection but in other things. As I said, when a snow comes Congress is rushed to at once for a specially urgent deficiency appropriation of five or ten thousand dollars, as if nobody ever expected a snow in Washington until after it came.

Mr. HEMENWAY. I will say to the gentleman it seems to cost more money to get snow off the streets in Washington than most any other place on earth. We have had before the committee I think all the winter an application for an appropriation to remove snow, which we put off, and finally we recommended an appropriation of \$5,000 in place of the \$10,000 requested by the Commissioners.

Mr. WILLIAMS of Mississippi. Who purchases this coal? Who is the superintendent for that purpose?

Mr. HEMENWAY. It is done by an official under the direction of the District Commissioners. I do not know the name of the gentleman who makes the contracts.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.